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## Providing for Rhode Islands Juvenile Delinquents: Community Based Services vs. Incarceration

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**PROVIDING FOR RHODE ISLANDS JUVENILE DELINQUENTS:  
COMMUNITY BASED SERVICES VS. INCARCERATION**

A project based upon an independent investigation, submitted in partial fulfillment  
of the requirements for the degree of Bachelor of Arts in Social Work

Shannon Fitzgerald  
SWK 489 Theory/Practice Capstone  
April 20, 2009

*Abstract*

National research has shown that high quality, alternative community based diversionary programs for delinquent youth are both more effective at reducing recidivism and less expensive than incarceration. As the state of Rhode Island faces budgetary issues, not unlike the issues the United States is facing on the national level, they have begun to move toward this model as a way to address juvenile delinquency. But the question is, does Rhode Island have the available resources to provide a better alternative for these youths than incarceration? This exploratory study's objective was to explore if Rhode Island's juvenile delinquents will be better served through community based resources. Key stake holders in the Juvenile Justice System were interviewed within the state of Rhode Island. The findings of the study indicated that the inappropriate use of incarceration seen on a national level holds true with Rhode Island as well. It substantiated that a majority of the youth within Rhode Island's Juvenile Corrections Facility could be better served through other means. Most youth have been involved with numerous other systems and have either failed or been failed by them. This suggests that other Rhode Island systems, such as public schools and child welfare system, have the potential to identify at risk youth early to potentially prevent their involvement with the juvenile justice system. Putting into place more preventative services for youth could really limit the number of youth falling into the juvenile justice system, specifically incarceration.

### *Introduction*

National research has shown that high quality, alternative community based diversionary programs for delinquent youth are both more effective at reducing recidivism and less expensive than incarceration. Places such as Cook County, IL and New York City have successfully lowered their incarcerated juvenile population by relying on community-based programs as an alternative to incarceration. As the State of Rhode Island faces budgetary issues, not unlike the issues the United States is facing on the national level, they have begun to move toward this model as a way to address juvenile delinquency. Rhode Island has begun to increasingly release youths before the end of their sentence and has placed a cap on the population of the Juvenile Corrections Facility limiting the number of youths who are sentenced there. Shortening these youths' sentences and decreasing the number of youths who are sentenced to the Juvenile Corrections Facility is prompting judges to find alternative forms of punishment to incarceration. But the question is, does Rhode Island have the available resources to provide a better alternative for these youths than incarceration?

Rhode Island has already begun to make the transition to relying more heavily on community based programs rather than incarceration. In 2005 Governor Carceri kicked off the construction of a new Juvenile Corrections Facility in Rhode Island. Article 13 of the 2008 Revised Budget has placed a maximum daily capacity of one hundred and forty eight detained and/or adjudicated males for the new Juvenile Corrections Facility. This maximum capacity is significantly less than the number of residents previously held at the Juvenile Corrections Facility.

Article 13 has two major implications for the Juvenile Corrections Facility. First,

fewer youths will be sentenced there because of limited space. Secondly, if the Juvenile Corrections Facility population is nearing capacity the superintendent is instructed to find youths who do not pose a risk of harm to themselves or others to be considered by the Family Court for early release. By providing fewer beds for delinquent youth, Rhode Island is enforcing a policy that community based services should be utilized as an alternative to incarceration.

Rhode Island's community based programs currently struggle to manage their caseloads. A community agency within Rhode Island that is a referral source for youths leaving the Juvenile Corrections Facility was unable to accept referrals from Providence for three months because their caseloads were too full and they were under staffed. If these agencies are having problems managing their current caseloads, how can they be expected to handle an increase in the amount of youths in their care?

In October of 2003 the Rhode Island Family Court (RIFC) and the Department of Children, Youth and Families (DCYF) began a juvenile re-entry court program. This program allows youth offenders who exhibit good behavior within the Juvenile Corrections Facility to receive an early release. The program would send youths back into the community before their end of sentence and is intended to reduce recidivism and curb juvenile crime.

According to the KidsCount Factbook (2008), out of the 1,122 youths who were at the Juvenile Corrections Facility at some point during 2007, 268 had previously been admitted to the Juvenile Corrections Facility. Of those 268, one quarter (66) of the youths had been admitted three or more times (pg. 92). These statistics demonstrate how Rhode Island's previous efforts to rely on community based programs as an alternative to

incarceration has been flawed and puts into question Rhode Island's ability to care for delinquent youth outside of the Juvenile Corrections Facility.

The most important question that needs to be asked is, if we cannot provide these youths an adequate alternative to incarceration are we just setting them up for failure? The alternatives to incarceration appear good in theory and models from other states but first Rhode Island needs to address if they have the resources to provide for these youths. This is a concern for the state of Rhode Island because today's juvenile offenders could possibly be tomorrow's adult felons, especially if the youth does not receive adequate care.

There are over 1,000 youths who are sentenced to the Juvenile Corrections Facility throughout the course of the year (KidsCount Factbook, pg. 92). The number of youths who commit crimes in the state of Rhode Island is not declining. If the state continues relying on community based programs without evaluating the effectiveness and efficiency of the programs it will result in hundreds of youths without the support and resources they need for rehabilitation.

This topic is very important to social work practice because the juvenile delinquent population is primarily cared for by social workers in and outside the Juvenile Corrections Facility system. It is important for social workers to know how to best serve their clients and accommodate to their needs.

Serving juvenile delinquents is something that needs to be studied for social work research because of the need to examine what interventions and resources effectively work for this population. Juveniles are a population that is generally ignored because of their lack of voice. Social workers can be their voice for effective policy, services, and

resources. Research on this population needs to be done in order for changing policies within the state can be examined for efficiency and effectiveness. If Rhode Island's new policy addressing juvenile delinquency is ineffective then the state needs to become aware of it to make the necessary changes within the system.

### *Literature Review*

Among all of the policy areas affecting vulnerable children and families, juvenile justice probably suffers the biggest gaps between best practice and common practice, between what we know we should do and what we actually do. Perhaps this is because it serves an unpopular and powerless segment of our society; usually behaviorally troubled, primarily poor, mostly minority teenagers, but this lack of interest has caused our current approach to juvenile justice to be costly, discriminatory, dangerous, and ineffective (The Annie E. Casey Foundation, 2008). The current functioning of our juvenile justice system calls for a fundamental transformation in how we handle juvenile delinquents.

### *History of the Juvenile Justice System*

The first court of law dedicated exclusively to children was established in 1899 in Cook County, Illinois. Prior to its development children were tried in criminal courts just like adults. Children as young as eight were imprisoned with adults and sentenced to hard labor. But in 1899 Cook County created an entirely new system for juveniles based on the principle that children are inherently different than adults, less culpable for their acts, and more amenable to rehabilitation (The Annie E. Casey Foundation, pg 2). By 1915, 46 states and the District of Columbia had established their own juvenile courts (Fox, 1996). Today, every state and virtually every nation on earth has a separate system for juveniles.

The creation of juvenile courts offered many advantages to young people. The courts protected the privacy of young offenders and enabled them to enter into adult life without the stain of a criminal record. The courts hired specially trained probation counselors, psychologists, and other staff to supervise and support young offenders. They also handled a substantial share of cases informally, without a court hearing (The Annie E. Casey Foundation, pg 2).

Unfortunately though from the beginning flaws within the juvenile justice system caused it to stray from its original ideals. The courts relied heavily on “reformatories,” which were later referred to as Training Schools. In these reformatories the conditions were often more severe and discipline far harsher than their rehabilitative mission implied (The Annie E. Casey Foundation, pg 2). Most juvenile courts made probation the most common outcome of delinquency cases but few jurisdictions hired enough probation officers or provided sufficient training and resources to deliver the intended individualized care in a meaningful way. Similarly, while the founding vision of the juvenile court revolved around a dedicated, specialized jurist, only half of the nation’s juvenile judges in the 1960s had a college degree, nearly three in four devoted less than a quarter of their time to juvenile cases, and most allocated just 10 to 15 minutes to each juvenile hearing (U.S. Government Printing Office, 1967). Statutes granted extraordinary discretion to these judges, but few legal protections to youth: no advance notice of charges, no rules of evidence, no right to counsel, no right to confront witnesses, and no right to a jury trial (The Annie E. Casey Foundation, pg 3).

This discretion and informality given to the court proceedings and to the judges was intended to encourage flexible and creative responses but instead resulted in



enormous disparities between sanctions. Poor and minority youth have consistently received harsher treatment within the juvenile justice system compared to their affluent white peers (Feld, 1999). Moreover, many juvenile judges have used their discretion to apply heavy sanctions to youth accused of such acts as underage drinking, curfew violations, and truancy (i.e., status offenses) that would not have been illegal if committed by adults. In the mid-1970s, 40 percent of youth referred to the juvenile justice system nationwide, roughly half a million teens per year, were status offenders not accused of any crime (Anderson, 1977).

Partly in response to these practices, the U.S. Supreme Court issued a series of decisions in the 1960s and '70s granting youth more (but not all) of the legal protections available to adults. In 1974, Congress enacted the Juvenile Justice and Delinquency Prevention Act. This Act was developed under the broad consensus that children should not have contact with adults in jails and other institutional settings and status offenders should not be placed in secure detention facilities. This provision applies to all youth except those who are tried or convicted in adult criminal court of a felony level offense. If a youth has been convicted of a felony in an adult criminal court and is sentenced to an adult facility "sight and sound" separation must be enforced. Under "sight and sound," children cannot be housed next to adult cells, share dining halls, recreation areas or any other common spaces with adults, or be placed in any circumstances that could expose them to threats or abuse from adult offenders (The Annie E. Casey Foundation, 2008).

These overdue protections, however, soon collided with a shift in public policy toward punishment and deterrence and away from rehabilitation. During the 1980s, many states began requiring incarceration for serious youth crimes, and several expanded the

number of youth who could be tried as adults. These trends accelerated rapidly in the 1990s, when youth violence, and public concern over it, heightened to unprecedented levels (The Annie E. Casey Foundation, pg 3).

Between 1984 and 1994, the number of murders committed by youthful offenders nearly tripled, and the overall rate of juvenile violent crime nearly doubled (National Center for Juvenile Justice, 2006). These statistics combined with sensational media coverage and widely publicized (and ultimately inaccurate) predictions of a coming “tidal wave” of “juvenile super predators,” the spike in serious delinquency sparked a public policy panic. State legislatures enacted “get tough” juvenile policies at an unprecedented pace. Every state except Nebraska amended its juvenile code to expand the classes of accused youth who could be tried as adults (Snyder & Sickmond, 2006). To further combat the perception that juvenile courts might be too lenient, many states began requiring minimum periods of incarceration for specific crimes.

Trends in other youth-serving systems also had a profound effect on youth involvement in juvenile justice in the 1990s. Many school systems across the country adopted “zero tolerance” policies. Even when students’ behavior posed minimal threats to public safety, the result was often a court referral for misbehavior previously handled within the schools. Resource shortages in the mental health and child welfare systems also served to turn many juvenile detention centers into default providers for youth with serious needs, even though the delinquency system lacked the funding and therapeutic environment needed for effective responses (Annie E. Casey Foundation, pg 4).

Today, youth advocates often decry the rush toward punitive policies in the 1990s as a fundamental break with history, a rejection of the very foundations of juvenile justice

(The Annie E. Casey Foundation, pg 4). However, a more careful reading reveals that the changes actually represented a continuation and acceleration of trends long apparent in juvenile courts and correctional systems: too many minors tried and punished as adults; too much reliance on incarceration; often in harsh or abusive conditions; pervasive disparities in the treatment of youth by race and ethnicity; disproportionate sanctions for minor and predictable misbehavior. All of these trends are deeply rooted in our juvenile justice history, and the punitive wave of the 1990s only exacerbated them (The Annie E. Casey Foundation, pg 4).

*Juvenile Delinquency in the U.S.*

The juvenile justice system serves all delinquent and wayward children and youth under the age of 18. These systems affect numerous members of the U.S. youth population. Nationwide each year, police make 2.2 million juvenile arrests; 1.7 million cases are referred to juvenile courts; an estimated 400,000 youth cycle through juvenile detention centers; and nearly 100,000 youth are confined in juvenile facilities on any given night (Snyder & Sickmund, pg 197). Young people who end up confined in locked detention centers suffer some of the worst odds of long-term success of any youth cohort in our nation. Studies have consistently found that youth involved in the juvenile justice system are more likely to suffer problems in adulthood; such as unemployment, alcoholism, and dependence on welfare (Kazdin, 992).

Nationally, nearly 92,000 delinquents were held in residential placement facilities on October 22, 2003. The majority of these residents were accused or adjudicated juvenile offenders (88%). Juvenile offenders held for delinquency offenses accounted for 78% of all residents and 95% of all juvenile offenders (Snyder & Sickmund, pg.197).

Delinquency offenses are behaviors that would be criminal law violations for adults. The remaining 5% of offenders were status offenders. Status offenses are behaviors that are not law violations for adults, such as running away, truancy, and ungovernability.

According to the most recent data, 24 percent of incarcerated youth nationwide are guilty of violent felonies; 45 percent are guilty of violation of probation; misdemeanors; or low level charges unrelated to violence, weapons, or drug trafficking. Juveniles accounted for 17% of all violent crime arrests and 26% of all property crime arrests in 2006 (Snyder & Sickmund, pg 70). Juveniles are more likely to commit crimes in groups and are more likely to be arrested than are adults.

Male offenders dominate the juvenile justice system. This is especially true of the custody population. Males represent half of the overall juvenile population but are involved in approximately three-quarters of juvenile arrests and delinquency cases handled in juvenile court each year and represented 85% of juvenile offenders in residential placement in 2003 (Snyder & Sickmund, pg.206).

Nationally females accounted for 15% of the juvenile offenders in residential placements in 2003 (Snyder & Sickmund, pg.207) but this percentage varies by state. In Colorado, Maryland, New Jersey, and Rhode Island females represented no more than 10% of the population while in Hawaii, Nebraska, North Dakota, South Dakota, and Wyoming, females represented at least 25% of those in custody (Snyder & Sickmund, pg.207).

The proportion of female offenders entering the juvenile justice system has grown. Law enforcement agencies made 641,000 arrests of females under the age of 18 in 2006. From 1997 through 2006, arrests of juvenile females decreased less than male

arrests in most offense categories (e.g. aggravated assault); in some categories (e.g. simple assault), female arrests increased, while male arrests decreased. Although juvenile arrests for violent crimes declined 22% for males between 1997 and 2006, they decreased only 12% for females in the same period (Snyder & Sickmund, pg.206).

Females in custody tend to be younger than their male counterparts. Juveniles ages 15 and younger accounted for 46% of females and 33% of males held in 2003. In contrast, the proportion of older offenders (ages 18-21) was greater among males, 16%, than among females, 7%. The peak age for female offenders in residential placement was 16 and for male offenders it was 17 (Snyder & Sickmund, pg.206).

In 2003, minority youth made up the majority of both males and females in residential placements. In 2003, more than 59,000 minority offenders were in residential placement in juvenile facilities across the country, 61% of the custody population nationwide. Black youth accounted for 38% of all offenders in custody. In every state except Vermont, the custody rate for black juvenile offenders exceeded the rate for whites. Wyoming had the highest rate for white offenders followed by Florida, District of Columbia, Indiana, and South Dakota. Nationally, the ratio of the custody rate for minorities to that for whites was 2.6 to 1 (Snyder & Sickmund, pg 213).

The overall median time in placement for juvenile offenders held in juvenile facilities was 68 days. The median time in placement was greater for males, 71 days, than for females, 48, days and greater for white youth, 72 days, than for minority youth, 64 days (Snyder & Sickmund, pg.215).

Among committed offenders, those held for criminal homicide had the longest time in placement, with the median number of 345 days. Sexual assault offenders had the

second longest average time in placement at 271 days. The median time in placement for committed aggravated assault offenders was just two weeks more than the figure for committed simple assault offenders. Simple assault offenders had the same average days in placement as offenders committed for drug trafficking (Snyder & Sickmund, pg.206).

Recidivism is the repetition of criminal behavior. A recidivism rate may reflect any number of possible measure of repeated offending; arrest, court referral, conviction, correctional commitment, and correction status changes within a given period of time. Typically, the only available statistical indicators of criminal behavior are official records of these system events. For this reason, virtually all measures of recidivism underestimate reoffending since they only include offending that comes to the attention of the system. Recidivism studies show that 50 percent to 80 percent of youth released from juvenile correctional facilities are rearrested within two to three years, even those who were not serious offenders prior to their commitment. About one-quarter of juveniles who offend at ages 16-17 re-offend as adults at ages 18-19 (Snyder & Sickmund, pg. 234).

Many juvenile offenders are in facilities that have more residents than standard beds. Crowding occurs when the number of residents occupying all or part of a facility exceeds some predetermined limit based on square footage, utility use, or even fire codes. In 2002, 36% of facilities reported that the number of residents they held on the census date put them at or over the capacity of their standard beds or that they relied on some makeshift beds (Snyder & Sickmund, pg.223).

In 2002, 61% of facilities that reported substance abuse screening information indicated they evaluated all youth to determine whether they had substance abuse problems. An additional 20% said they evaluated some youth. Nineteen percent of

facilities stated they did not screen any youth. Of the facilities reporting information on substance abuse services, 66% provided onsite services. The most commonly reported, onsite services was substance abuse education (97%), followed by the development of treatment plans (69%), and therapy provided by a substance abuse treatment professional (individual therapy, 69%, or group therapy, 67%). Individual or group counseling provided by someone other than a substance abuse treatment professional was also quite common (60% each) (Snyder & Sickmund, pg.226).

Among facilities that reported mental health information, 57% of those with 51-100 residents reported that all youths were evaluated for mental health needs by a mental health professional. For the larger facilities (with 200 or more residents) the proportion was 60%. In 2002, 68% of the 2,837 facilities that reported information on suicide screening stated they evaluated all youth for suicide risk. An additional 17% said they evaluated some youth. More than half (56%) of facilities that screen some or all youth for suicide risk reported that screening was conducted by a mental health professional with at least a masters degree in psychology or social work. Less than 1 facility in 5 used untrained staff to screen for suicide (Snyder & Sickmund, pg.227).

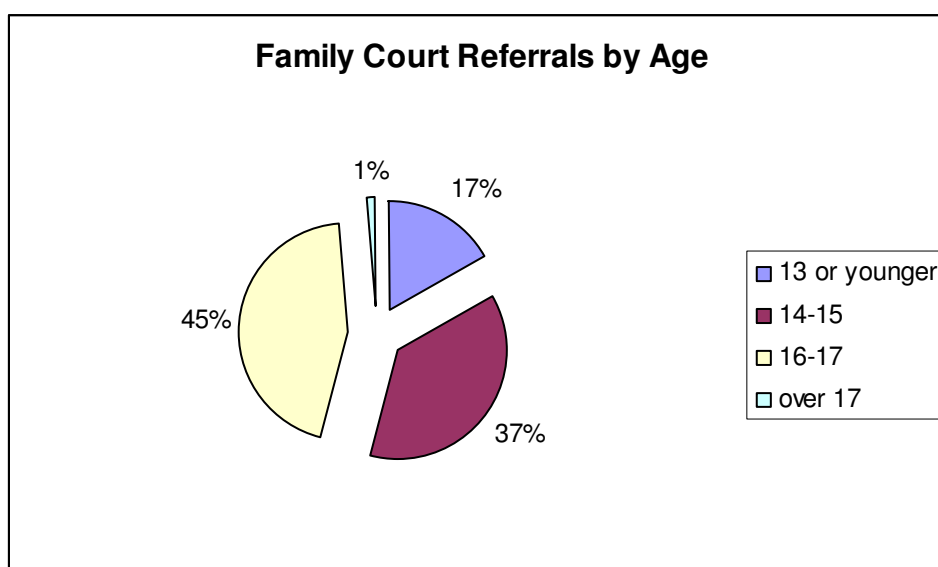
Eight facilities reported having a resident die of suicide during the year 2002. One hundred and fourteen facilities reported a suicide attempt during the month prior to the census that was serious enough to require hospitalization (Snyder & Sickmund, pg.227).

#### *Juvenile Delinquency in Rhode Island*

The Rhode Island Family Court (RIFC) has jurisdiction over delinquent and wayward children and youth under the age of 18. In 2007 Rhode Island had 5,275 youth referred (5% of youth between the ages of 10 and 17) to Family Court for 8,301 wayward

and delinquent offenses. Of these, 395 (5%) involved violent offenses, 242 (61%) of which occurred in the core cities (Providence, Pawtucket, Central Falls, and Cranston). Ten percent of juveniles referred to Family Court in 2007 had been referred at least twice before. Seventy one percent of the cases referred to Family Court were male and 29% were female (KidsCount Factbook, pg. 88).

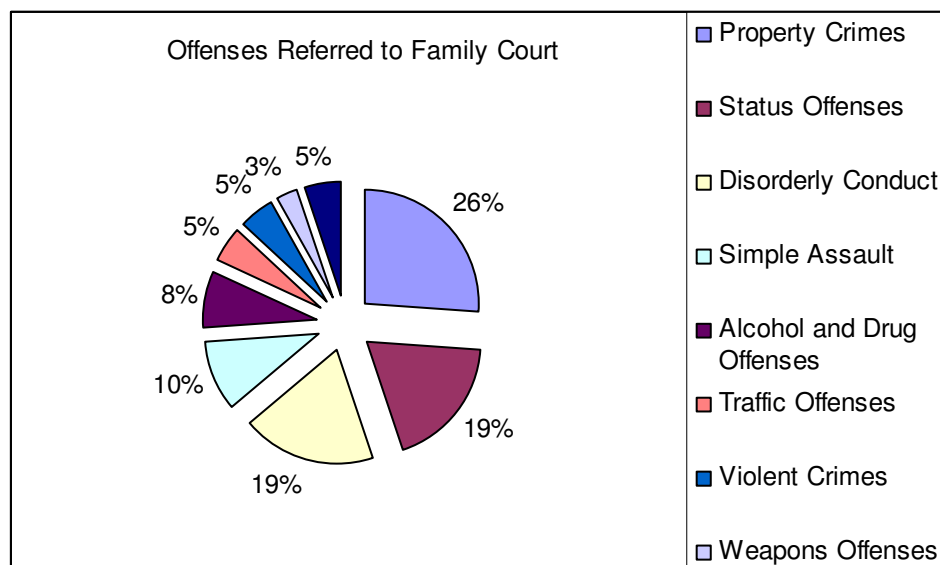
Figure 1: Family Court Referrals



Out of the juveniles referred to Family Court 17% were ages 13 or younger, 37% were ages 14 and 15, 45% were ages 16 and 17, and less than 1% were over the age of 17. (See figure 1)



Figure 2: Offenses Referred

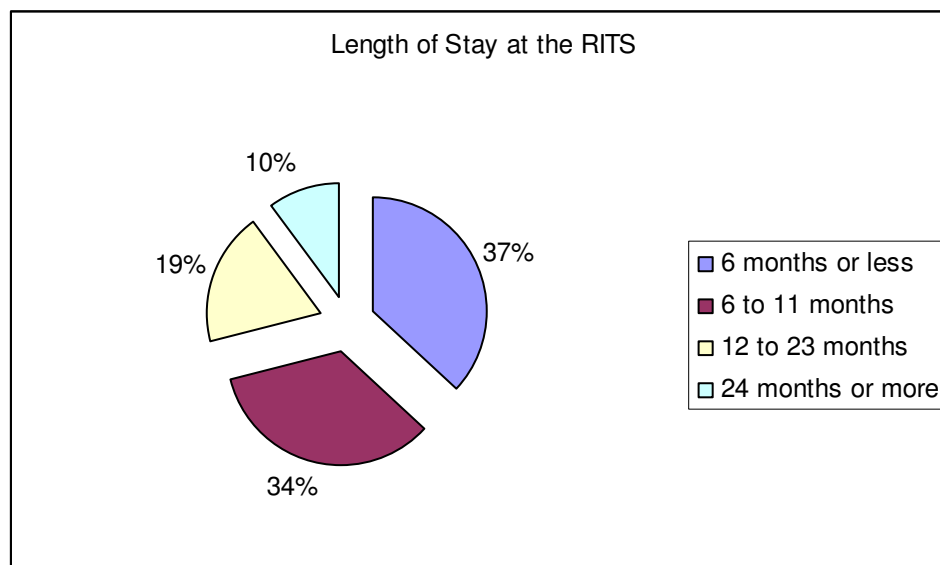


Juvenile wayward/delinquent offenses referred to Family Court, by type of offense, in Rhode Island during 2007; 26% property crimes, 19% status offenses, 19% disorderly conduct, 10% simple assault, 8% alcohol and drug offenses, 5% traffic offenses, 5% violent crimes, 3% weapons offenses, and 5% other (KidsCount Factbook, pg. 88). (See figure 2)

A total of 1,122 youth (80% male, 20% female) were in the care and custody of the Rhode Island Juvenile Corrections Facility at some point during calendar year 2007. On January 1, 2008, there were 158 youth on the grounds at the Juvenile Corrections Facility, 22 under capacity (KidsCount Factbook, pg. 90).

Of the adjudicated juveniles serving time at the Rhode Island Juvenile Corrections Facility on January 1, 2008, 37% are serving 6 months or less, 34% are serving 6 to 11 months, 19% serving 12 to 23 months, and 10% are serving 24 months or more. (See figure 3)

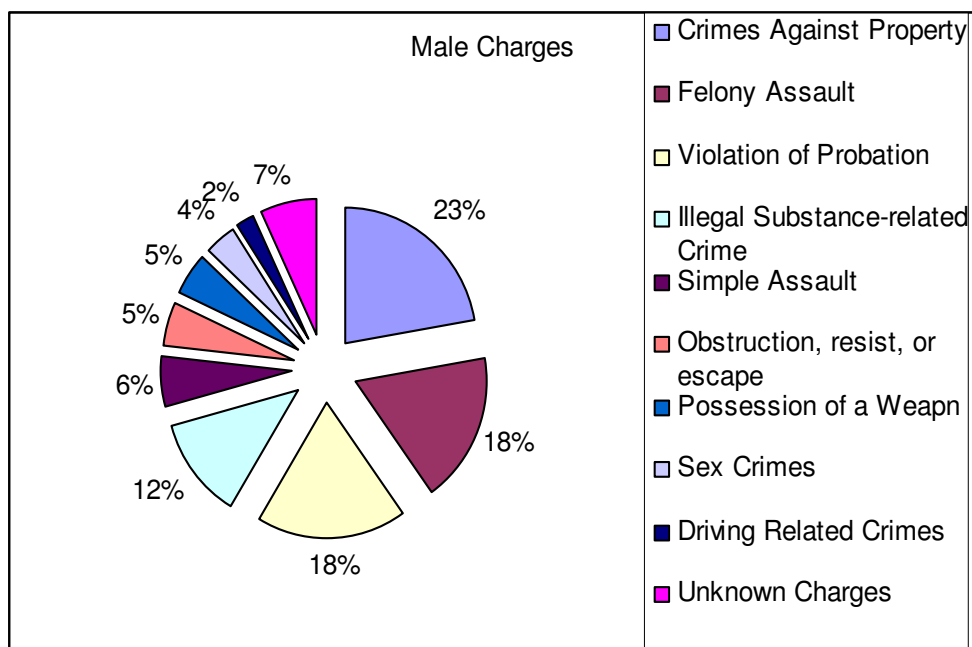
Figure 3: Length of Stay



Twenty three percent were ages 14-15, 49% were ages 16–17, and 28% were ages 18-20. Forty five percent of the residents were white, 33% black, 3% Asian, 1% Native American, 2% multiracial, and 16% are an unknown (KidsCount Factbook, pg. 90).

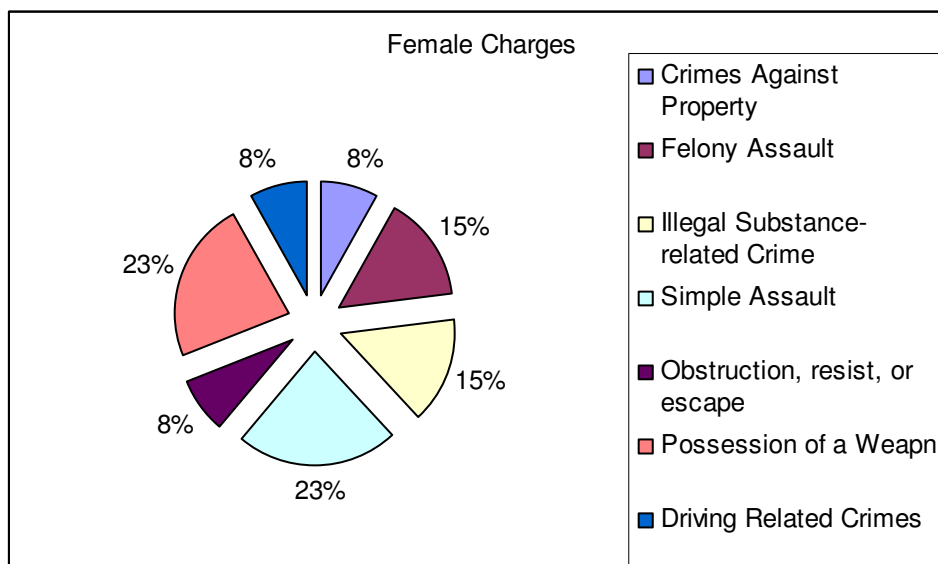
Of the males, 22% are serving time for crimes against property, 18% for felony assault, 18% for violation of probation, 12% for illegal substance-related crime, 6% for simple assault, 5% for obstruction, resist, or escape, 5% for possession of a weapon, 4% for sex crimes, 2% for driving without a license/DUI, and 7% for unknown charges (KidsCount Factbook, pg. 90). (See figure 4)

Figure 4: Male Charges



Of the females 8% are serving time for crimes against property, 15% for felony assault, 15% illegal substance-related crime, 23% for simple assault, 8% for obstruction, resist or escape, 23% for possession of a weapon, and 8% for driving without a license/DUI (KidsCount Factbook, pg. 91). (See figure 5)

Figure 5: Female Charges



Kaufmen's (2008) research done on the Juvenile Corrections Facility showed that 32.4% of the male population and 56.3% of the female population's family is currently open to the Department of Children, Youth, and Families (DCYF) and 25% of the male and 56.3% of the female residents themselves were open to DCYF. Out of the youth who had been in DCYF care which included 69.1% (n=76) of the males and 61.5% (n=8) of the females; the average age of first removal for the boys was 12.7 and for the girls it was 7.3. The average number of years in DCYF care spent for the males was four and a half years while for the girls it was 8.8 years (Kaufmen, 2008).

Nearly half (47%) of the adjudicated youth in the care and custody of the Rhode Island Juvenile Corrections Facility on January 1, 2008 had at some point in their childhood been victims of documented child abuse or neglect. Nearly one-third (31%) of the adjudicated or detained females (4 of 13) and 14% of the adjudicated males (15 of 110) at the Juvenile Corrections Facility during the week of January 10, 2008 were receiving psychotropic medications (KidsCount Factbook, pg. 92).

A review of 123 randomly selected records of adjudicated male students and adjudicated or detained female students at the Juvenile Corrections Facility on January 15, 2008 found 27 students (22%) had no school records available. Of those with school records, 12 (13%) had failed all classes before entering the Juvenile Corrections Facility. Approximately half of students at the Juvenile Corrections Facility receive special education services. Although the average age of youth tested at the Juvenile Corrections Facility is 16.7, the average pre-test scores for both reading and math skills were at fifth grade levels (KidsCount Factbook, pg 91).

Of the 1,122 youth who were at the Juvenile Corrections Facility at some point during 2007, 24% (268) had been admitted previously. One quarter (66) of the youth previously admitted had been at the Juvenile Corrections Facility three or more times (KidsCount Factbook, pg. 91). On December 31, 2007, there were 1,313 youth on the DCYF probation case load. One quarter (25%) of youth on probation were ages 11-15, 48% were ages 16-17 and 26% were ages 18-21 (KidsCount Factbook, pg. 92).

#### *Theories on what lead youth to crime*

Studies have found some associated factors that influence juvenile offending behavior (Jenson, 2007; Carter 2008; Kelling & Coles, 1996; Snyder & Sickmund 2006). A recent study using data from NLSY97 explored the factors associated with a youth's self-reported law-violating behaviors (Snyder & Sickmund, 2006). One significant factor was a youth's family structure. In general, the research showed that juveniles who lived with both biological parents had lower lifetime prevalence of law violating behaviors than did juveniles who live in other family types. For example, the study found that 5% of youth at age 17 who lived with both biological parents reported ever being in a gang,

compared with 12% of youth who lived in other family arrangements. Similarly, youth at age 17 living with both biological parents reported a lower lifetime prevalence, compared with youth living in other types of families, for a wide range of problem behaviors including: marijuana use (30% vs. 40%), hard drug use (9% vs. 13%), selling drugs (13% vs. 19%), running away from home (13% vs. 25%), vandalism (34% vs. 41%), theft of something worth more than \$50 (19% vs. 17%), assault with the intent to seriously injure (20% vs. 35%). Family structure is correlated with a youth's race and ethnicity; that is, white non Hispanic youth are more likely to live in families with two biological parents than are black or Hispanic youth. Therefore, patterns that indicate racial or ethnic differences in self-reported behavior may in reality be reflecting differences in family structure (Snyder & Sickmund, 2006).

Snyder & Sickmund (2006) also found other factors related to juveniles' self-reported involvement in law-violating behaviors. The most closely related factor was the presence of friends or family members in gangs. For example, compared with juveniles who did not have friends or family members in gangs, those who did were at least three times more likely to report having engaged in vandalism, a major theft, a serious assault, carrying a handgun, and selling drugs. They were also about three times more likely to use hard drugs and to run away from home.

In Snyder and Sickmund's study (2006) connectedness to school and or work was related to juveniles' self reported law-violating behavior. Juveniles who were neither in school nor working had a significantly greater risk of engaging in a wide range of problem behaviors – using marijuana and hard drugs, running away from home,

belonging in a gang, committing a major theft or a serious assault, selling drugs, and carrying a handgun.

Limbos and Casteel's (2008) article considered the effects of the school system on juvenile delinquency. This study found that communities whose schools had lower academic performance had higher crime rates and vice versa. The study also concluded that schools employing larger percentages of certified teachers had lower crime rates within the schools. Christle's (2008) study found that many incarcerated youths who have deficits in reading are disproportionately represented in correctional institutions. The author concludes from this that the juvenile justice system has become the default system for many youths who have reading problems.

Other research has examined the association between neighborhood dilapidation and juvenile crime (Kelling & Coles, 1996; Jenson, 2007). This idea is often referred to as the 'broken window theory' which links various forms of social and physical disorder in a neighborhood to crime and fear (Kelling and Coles, 1996). Research on this topic identified causal links between poor neighborhood conditions such as the presence of litter, graffiti, dilapidated and abandoned buildings to a high neighborhood crime rate. This theory proposes that if a broken window in a building is not repaired it is "a signal that no one cares, and so breaking more windows costs nothing" (Kelling & Coles, pg 54). This lack of caring about something as small as a broken window demonstrates that the community cannot even control minor crimes leading people to feel as though they can get away with more serious crimes.

Another community factor that can influence juvenile offending is social organization within the community. Limbo and Casteel's study (2008) primarily focused

on crime and violence committed in schools, but it is easy to see how the findings can be applied to the outside community as well. Their research showed that schools in disadvantaged and disorganized communities have higher rates of violence. The research also illustrated that the critical factor influencing high rates of violence in certain communities is the lack of effective social organization that help establish common values and norms, offers social support to residents, and reinforces social controls. The research proposes that disorganized communities may impair the ability of local institutions that are supposed to be serving the community. If a community is unorganized and unstructured it affects everyone in the community and can have a detrimental effect on youths.

#### *Problems With Incarceration*

Research has shown that incarceration can seriously damage a youth's chance for future success. A successful transition from adolescence to adulthood requires youth to acquire education and skills, build a social network, develop self-discipline and personal autonomy. Incarceration undermines young people's opportunities to meet most of these challenges. According to a research network assembled by the John D. and Catherine T. MacArthur Foundation, "Only 12 percent of formerly incarcerated youth had a high school diploma or GED by young adulthood, only about 30% were either in school or a job one year after their release, and they are more likely to be divorced and to bear children out of marriage" (The Annie E. Casey Foundation, pg 9).

But regardless of the threat of the negative consequences the Juvenile Justice system has continued to send youth not appropriate for incarceration into secure facilities.



This flawed system has transformed Juvenile Corrections Facilities into holding units for youth who could be better served through other systems.

*Inappropriate Use of Incarceration*

Currently in the juvenile justice system there has been an increasing propensity to prosecute minor cases bringing more harm to youth without any benefit to society. From 1995 to 2004, the national juvenile arrest rate for serious property and violent crimes declined 45 percent, and the homicide arrest rate plummeted 70 percent (The Annie E. Casey Foundation, pg 5). In this same period, the numbers of youth adjudicated, placed into secure detention, and sentenced to probation all grew nationwide. For instance, more than twice as many youth were adjudicated for disorderly conduct in 2004 than in 1995 (The Annie E. Casey Foundation, pg 5).

Many youth prosecuted for minor crimes are sentenced to probation. However, they can easily end up in a detention or corrections facility if they violate probation rules. One of every nine youth in corrections facilities nationwide is committed for a technical (non criminal) violation of probation rules (The Annie E. Casey Foundation, pg 5). Once a youth has a juvenile record, even for a minor offense, they are treated more harshly for future offences, increasing the likelihood that they will spiral deeper into the juvenile corrections system.

Youth with mental health problems and learning disabilities, as well as those in foster care or with child welfare case histories, are increasingly being steered into the juvenile justice system, including its secure institutions. These youth face higher risks of delinquency related to their disability or disadvantage (The Annie E. Casey Foundation, pg 10).

The U.S. Surgeon General has found that debilitating mental disorders affect one in five U.S. youth, but access to effective treatment is often limited (The Annie E. Casey Foundation, pg 6). Over the past 20 years, juvenile justice has become the primary referral for youth with mental health disorders in many states due to the collapse of public mental health services for children and adolescents.

Two thirds of juvenile detention facilities hold youth who are waiting for community mental health treatment. These facilities are located in 47 states. In 33 states, youth with mental illness are held in detention centers without any charges against them. In other cases, such youth have been charged with crimes but are able to be released must remain incarcerated for extended periods because no inpatient bed, residential placement, or outpatient appointment is available. Youth incarcerated unnecessarily while waiting for treatment are as young as seven years old (The Annie E. Casey Foundation, pg 3). This misuse of detention centers as holding areas for mental health treatment is unfair to youth, undermines their health, disrupts the function of detention centers, and is costly to society.

Over a six month period, nearly 15,000 incarcerated youth waited for community mental health services. Each night, nearly 2,000 youth wait in detention for community health services, representing 7% of all youth held in juvenile detention. In 30 counties nationwide, 9,000 adolescents entered the juvenile justice system in 2001, referred by their own parents for the sole purpose of securing mental health treatment (The Annie E. Casey Foundation, pg. 3).

Two thirds of juvenile detention facilities that hold youth waiting for community mental health services report that some of these youth have attempted suicide or attacked

other residents. Yet one-quarter of these facilities provide no or poor quality mental health services, and over half- report inadequate levels of training (Snyder & Sickmund, 2006).

Juvenile detention facilities spend an estimated \$100 million each year to house youth who are waiting for community mental health services. This estimate does not include any of the additional expense in service provision and staff time associated with holding youth in urgent need of mental health services. (United States House of Representatives, 2004)

Child welfare agencies often terminate services to adolescents in foster care who get arrested or adjudicated, leading these youths to suffer harsher outcomes than other court-involved teens. For example, in New York City, a 1998 study found that following arrest, foster youth were more likely to be detained than other youth. Similar to New York, in Los Angeles, a 2007 study found that youth from the child welfare system are far more likely than their peers to be placed in residential facilities following a delinquency adjudication (The Annie E. Casey Foundation, pg 5).

Since the widespread adoption of ‘zero tolerance’ policies in our nation’s schools, many juvenile courts have experienced substantial increases in delinquency case referrals from schools – including many for fistfights and other commonplace misbehaviors that were once handled within those schools (The Annie E. Casey Foundation, 2008). A disproportionate share of public school students referred to juvenile justice under zero tolerance policies are youth with educational disabilities, suggesting that schools too often rely on court interventions when responding to the behavior problems of students with special needs (The Annie E. Casey Foundation, 2008).

Sanctions of incarceration have also proved to be unequal between the race and gender of the youths. During adolescence, youth of all races and ethnicities become involved in violence, property crimes, and other delinquent behaviors, with only modest differences in the frequency and severity of their lawbreaking. Yet African American youth are arrested at dramatically higher rates than white youth for all types of crime, and once arrested are more likely to be detained, formally charged in juvenile court, placed in a locked correctional facility (and less likely to receive probation) once adjudicated, waived to adult court, and to be incarcerated in an adult prison, once waived to adult court (The Annie E. Casey Foundation, pg 8).

Because they are treated more harshly at each of these stages, African American teens face an immense cumulative disadvantage. Whereas African Americans comprise of just 16% of the total juvenile population nationwide, 38 percent of youth in juvenile correctional institutions and 58 percent of youth sentenced to prison are African American (The Annie E. Casey Foundation, pg 8).

The collective experience of girls provides a powerful case in point regarding the ways in which juvenile justice has become a default repository for low-risk, but high need, children. To an extraordinary extent, girls in juvenile justice are likely to be past victims of physical, sexual, and/or emotional abuse. Their families histories are often characterized by extreme stress and chaos. An alarming percentage suffer mental health conditions, ranging from depression to PTSD, and many use drugs and alcohol to escape these troubled realities (The Annie E. Casey Foundation, pg 8).

Girls are far more likely than boys to be referred to juvenile justice system for such behaviors as running away or truancy, which, while risky and undesirable, pose

primarily personal rather than public safety risks. During the 1990s girls' admission to secure facilities rose 50%. Clearly, many courts are using detention to 'protect' or provide services to these girls, even though detention centers were neither designed nor equipped to offer meaningful treatment (The Annie E. Casey Foundation, pg 8).

### *Expensive*

In most states, the largest portion of the juvenile justice budget is spent on confining youth, most often in large correctional facilities, or in detention centers awaiting trial or pending placement. The incarceration of juveniles is costly. Correctional confinement typically costs \$200 to \$300 per youth per day, far more than intensive home and community based treatment models that often show superior results in terms of recidivism (The Annie E. Casey Foundation, 2008).

### *Success of Alternatives to Incarceration*

More than 35 years ago, Massachusetts's youth corrections commissioner, Dr. Jerome Miller, grew convinced that large secure institutions were inherently abusive and unsafe, damaged the prospects of young wards, and failed miserably to improve public safety. Virtually overnight Massachusetts released 1,200 confined youth to community supervision, treatment, and in a few cases alternative residential care. Subsequent evaluations revealed that this radical and sudden depopulation did not unleash the predicted juvenile crime wave. In fact, compared to other states, Massachusetts enjoyed equal or lower recidivism rates and significantly reduced public expenditures, years after its secure youth corrections facilities were shut down. This is proof that detention and corrections populations can be reduced substantially without jeopardizing public safety (Miller, 1988).

Fortunately, alternative policies, practices, and programs have emerged that have the potential to transform our juvenile justice system and greatly improve the odds of success for troubled youth. Most of these alternatives have already been implemented effectively, providing for other states a clear and compelling road map to reform. The following are examples of places where alternatives to incarceration have proved to be successful.

California has dramatically reduced the number of youth in state corrections facilities from about 10,000 in the middle 1990's to 2,500 in 2007. Furthermore, the state is on track to decrease this population to 1,500 youth by 2010. In this period, California's youth crime rates did not increase – either in absolute terms or relative to other states (The Annie E. Casey Foundation pg. 3).

In New York City, the probation department's Project Zero has enrolled more than 1,700 court involved youth in new alternatives-to-incarceration programs since 2003. From 2004 to 2007 the number of incarcerated New York City youth declined 23 percent. Most youth in the new community supervision programs are remaining crime-free and avoiding subsequent placements, and city tax payers have saved \$11 million (The Annie E. Casey Foundation, pg 3).

Casey's Juvenile Detention Alternative Initiative (JDAI) has not only reduced the use of secure pre-trial detention; it has also had a ripple effect on participating jurisdictions overall use of confinement. For example, Cook County (Chicago), IL reduced the number of youth committed to state confinement from more than 900 in 1996 to 400 in 2006, and it slashed the population in group homes and other residential treatment centers from a

monthly average of 426 youth in 1996 to just 10 in 2007 (The Annie E. Casey Foundation, pg 3).

Girls and Boys Town through their program has seen youth aggression decreased by 81%, school problems decreased by 77%, and 85% of youth were arrest free for one year after leaving the program. Ninety four percent of youth who have left the program graduate from high school or are attending school one year after departing, and delinquent behaviors of youth decreased significantly from pre-admission to one year after departure (Girls and Boys Town, pg 4).

With this increase in incarceration for minor offenses, some states have taken the necessary steps to avoid incarceration for youth who can be better served with community base resources. In Clayton County, Georgia, a Juvenile Detention Alternatives Initiative (JDAI) site, school originated delinquency cases increased tenfold (from fewer than 100 to approximately 1,100) from 1955 to 2003, as a result of a zero tolerance policies. After the presiding juvenile court judge documented this alarming growth for school officials, in 2004, the county developed a School Referral Reduction Program. Since then, the school referrals to Clayton County's delinquency court have decreased by more than 68 percent from record highs (The Annie E. Casey Foundation, pg 6).

In Multnomah County, Oregon, another JDAI site, law enforcement officers were bringing almost 1,400 low level offenders to the local detention center per year in the 1900's simply because they had nowhere else to take them (The Annie E. Casey Foundation, pg 6). To remedy the problem, the county established a Juvenile Reception Center. Caseworkers, rather than court or probation personnel, speak with the youth,

reunite them with their families, and refer them to appropriate services. This system spares youth the trauma of locked detention and allows police officers to quickly return to parole duties.

Certain places have taken the necessary steps to avoid the use of incarceration for youth seeking mental health treatment. In the late 1990s, half the youth in detention in Bernalillo County, New Mexico – including many low level offenders who posed little threat to public safety – required psychotropic medications for serious emotional and behavioral disorders (The Annie E. Casey Foundation, pg 7). In response, local leaders established the outpatient Children’s Community Mental Health Clinic to serve these youth more appropriately. The clinic helped Bernalillo cut its detention population by 45 percent from 2000 to 2006, and the money saved by these detention population reductions has been reallocated to sustain the clinic (The Annie E. Casey Foundation, pg 7).

To remedy this inequity in New York City’s youth involved in foster care in the juvenile justice system, the Vera Institute of Justice and the Administration for Children’s Services launched Project Confirm, to identify and seek alternative placements for foster care youth entering detention. Among those accused of less serious offenses, the project has eliminated the disparity in detention rates for foster care and other youth (The Annie E. Casey Foundation, 2008).

### *Hypothesis*

This study intends to explore if Rhode Island’s community based resources can provide better rehabilitation for delinquent youth than incarceration. The study hopes to examine whether the current functioning of Rhode Island’s community based resources



for delinquent youth can manage an increase in caseload as less youth will be sentenced to the Rhode Island' Juvenile Corrections Facility.

The literature supports that all key stake holders would be fully supportive of the move from incarceration to community based services. But one thing that the research done in other areas does not include is the current struggle Rhode Island is facing with their state services and budgetary problems. This study's hypothesis suggests that although this move from incarceration to community based services is in the right direction, the chaos of Rhode Island's current services will make this progress much harder to be successful.

### *Methodology*

This exploratory study's objective is to explore if Rhode Island's juvenile delinquents will be better served through community based resources. The study will be done by interviewing key stake holders in the Juvenile Justice System within the state of Rhode Island. Interviews will be conducted with various members of the system including representatives from Rhode Island's Juvenile Corrections Facility and the community providers that serve wayward and delinquent youth. Each interview will be conducted with a set of interview questions to be used as a guideline for discussion. During the interview notes will be taken on the responses by the interviewer. After the interview is conducted the interviewer will type out the notes taken during the interview to be reviewed for accuracy by the key stake holder.

### *Sampling*

The type of sample that this study used is purposive sampling. Purposive sampling is when the experimenter selects a sample based on their own judgment about

which units are most representative or useful (Rubin & Babbie, pg 166). For this study representatives have been chosen from the main systems that affect juvenile delinquents in Rhode Island; the Juvenile Corrections Facility and the community based resources that serve youth in the community. The selection of who was chosen from the different department depended on job position and availability. The sample will be asked to participate in the study by email or phone contact. After the participant has agreed to be in the study an appointment will be made to conduct the interview.

#### *Data Collection*

The data will be compiled through face to face interviews with each participant. Prior to the interview the participant will be asked to sign a consent form allowing their answers to be used in this report. The consent form will inform the participant what their interview will be used for and ask permission for the interviewer to take notes during the discussion (see Appendix A). After the consent form has been signed the interview will begin. For this study the researcher will be using an interview guide approach to the interview. Interview guide format is when the researcher puts in outline form the topics and issues that they want to cover in the interview, but it allows them to adapt the sequencing and wording of questions to each particular interview (Rubin & Babbie, pg 126). This style will allow the researcher to ask questions pertaining to the participant's answers to keep to the flow of the conversation.

#### *Data Analysis*

Once the interviews have been conducted the researcher will attempt to pull out themes or repeated answers to show where the participants were in agreement. The

researcher will also identify discrepancies or contradictions between the participants to identify where they disagree.

### *Findings*

This study intended to evaluate Rhode Island's current transition of utilizing community based resources as an alternative to incarceration for juveniles. The study was conducted by interviewing five key stake holders from Rhode Island's Juvenile Justice System. The interviews consisted of questions regarding their feelings about the move of the Juvenile Corrections Center to a facility with fewer beds and the impact it has on the states services for delinquent youth.

Three of the five key stake holders interviewed were representatives from Rhode Island's Juvenile Corrections Facility. Both Juvenile Corrections Facility representatives 1 and 2 (JCF 1 and JCF 2) were female Clinical Social Workers at the Juvenile Corrections Facility. JCF 1 has been working at the facility for over seven years in both the female and male units. Prior to her work at the facility she worked in the community with youth involved in the Juvenile Justice System. JCF 2 started at the facility a little over a year ago after spending over ten years in the community working with delinquent youth. The third JCF representative is a male Unit Manager who has been working at the JVF for over ten years. He began working at the facility as a Clinical Social Worker but five years ago was promoted to Unit Manager. All three representatives from the JCF have received their Masters in Social Work.

The two remaining key stake holders are representatives from community agencies that serve youth within Rhode Island. Community Provider (CP) 1 is a male Director of a community agency serving juvenile delinquents within Rhode Island. He

has extensive experience working with youth within the community and has partnered with numerous other agencies to develop programs for these youth. CP 2 is a female Executive Director of a children's policy organization that provides information on child well being, stimulates dialogue on children's issues, and promotes accountability and action within Rhode Island (KidsCount Factbook, 2008). She has been the Executive Director of her agency for over twelve years and has been recognized nationally for her work with youth.

The interviews aimed to discover how the move to a facility with fewer beds impacted the key stake holders and their opinions on the transition. The interviews were also designed to discover the strengths and weaknesses of the services provided for Rhode Island's delinquent youth, specifically within the Juvenile Corrections Facility and the other service providers who work with the youth after they are released.

#### *Involvement/Impact of Move*

Each participant interviewed has been involved with and impacted by the transition of the Juvenile Corrections Center to a smaller facility in varying ways. Whether it was during the preparation and planning stages or the actual implantation of the plans, each participant played an active role in the transition and has a strong vantage point to assess the move.

JCF 3 has been involved with the transition from the initial planning stages to the finish.

“I have been sitting on planning committees for about the past five years making numerous plans and numerous designs for how this new facility is going to operate. We had to put together a whole plan for what the facility was going to look like and how it was going to operate. We had a whole plan for how we wanted it to work but have had to change it numerous

times because of cutbacks to resources and funding. It has been a lot of organizing and then reorganizing.”

CP 2 and her agency have also been a part of this transition process for the past several years. CP 2 explained how she and her agency have been providing research and statistics about youth in the Juvenile Justice System within Rhode Island for the past fifteen years. But it was really when the issue of the age of jurisdiction for the Rhode Island Family Court (RIFC) came up that she and her agency became actively involved with the issues at the Juvenile Corrections Facility.

Two years ago Rhode Island’s Finance Committee decided to decrease the age of jurisdiction under the Family Court. From July 1<sup>st</sup> to November 8<sup>th</sup> of 2007 the law changed lowering the maximum age at which youth can be brought before the Family Court from 18 to 17 and the maximum age for continued monitoring by the Family Court from 21 to 19. This change in the law resulted in five hundred 17 year olds in the state of Rhode Island to be charged and referred to adult courts, during only a four month period.

CP 2: “This change in the law was sending 17 year old kids to the ACI. We as an agency were very opposed to this, seventeen is too young to be involved in the adult system. Putting youth into an adult corrections facility is not in the best interest of the youth, their rehabilitation, or the state. Because of the safety issue of the youth’s ages to protect them they housed them in the maximum security facility. This not only was placing youth in the securest facility used for the most serious adult criminals it is also the most expensive place to house inmates at the ACI. This change just proved wrong on all levels.”

CP2 and her agency worked actively to get the law changed back which they were able to do. CP 2 described how it was a great testament to what people can do when they are working together for a cause. CP 2 explained how the discussion over the age of jurisdiction began conversations about the function of the Juvenile Corrections Facility.

“The debate and conversation surrounding this issue kick started a whole notion of questioning who is appropriate for the Juvenile Corrections Facility and why we have built a facility with fewer beds. The information and data from other places across the country have all shown that these models work. I supported the cap put on the Juvenile Corrections Facility because it emphasized community and the importance of housing appropriate youth inside the Juvenile Corrections Facility and finding alternatives for the youth that are not appropriate. I discussed the issue a lot with people at the Juvenile Corrections Facility and the sentiment I got from them is that you can’t do your work when it’s over populated. That is the case in any setting. In order for them to be able to function at a high level the population needs to be kept under the maximum capacity.”

Although both would agree that their work would be much better managed with fewer cases, two of the key stake holders from the JCF do not envision the population being under capacity any time soon. JCF 3 explained:

“We just have too many residents to fit into the new building. It means that we are going to have to have kids sleeping on the floor. Since it’s a new facility I mean it really shouldn’t happen but it is happening.”

JCF 1 had similar feelings, “To be honest I really do not see the Juvenile Corrections Facility successfully having fewer residents. I really just don’t think it will ever happen.”

Even though both believed that the population would not reach below capacity, all representatives from the Juvenile Corrections Facility’s work has been impacted by the move to a facility with fewer beds. JCF 2 explained how “we are over populated, our census is really high. We have decreased the population down to 149 and right now I think we have around 160. So we have to move a lot of kids out, depending on how their doing, through re-classification hearings.” Re-classification hearings are when residents appear in front of a board (including administrators from Juvenile Probation, the Juvenile Corrections Facility, and the Juvenile Corrections Facility School) to request an early release. Youth at the Juvenile Correction Facility are eligible for early release after serving 50% of their sentence.

JCF 1, who like JCF 2 is a Clinical Social Worker in charge of each resident's case, described the added stress from trying to get the population down and how it is affecting her day to day responsibilities. "It's very stressful. We have had to review cases more often to try and decrease our population. We are spending so much of our time trying to prepare and get kids out that we don't have time to hold transitional meeting sometimes during the week. We cannot do our normal jobs as we are mostly focused on getting kids out." JCF 1 goes on to say:

"I really don't feel as if I am engaging with my kids as much as I was before. We are so focused on only transition it is what we spend all our time doing with the kids now. Before I got to spend time with the kids getting to actually know them; now I only have time to meet with them to discuss aftercare services and create discharge plans."

But even with the pressure being placed on trying to lower the population and release youth early all three representatives from the Juvenile Corrections Facility explained how this was not their top priority. JCF 3 expressed a lack of concern about the population issue, "We're really not too concerned about getting the population down. We are more focused on getting programming in place to prepare kids for entering the community. We don't want to release kids for the wrong reasons. How many kids we are over capacity does not affect our decision to release kids. We release them when we feel they are ready."

CP 1, the Director of a community based agency for delinquent youth, provided an outside perspective to the population issue and how it has affected his agency and work. Ninety percent of the males involved in CP 1's agency are referred from probation or the Juvenile Corrections Facility. When he was asked if his caseload would increase with the transition to the new facility and he responded, "Yes, in order to keep their

numbers down the Juvenile Corrections Facility is going to have to develop a system to get kids out early but there is no point working so hard to get kids out if they are just going to end up going right back.” This is why he feels it is so important to get youth involved in effective programming and why he has developed his YTC program which he hopes will “relieve some of that pressure off the Juvenile Corrections Facility.”

*Issues with Rhode Island’s Juvenile Justice System*

There was a consensus among the participants that there is and always will be a need for a secure facility in Rhode Island for youth who have committed a serious crime or pose a risk to the community. But this is not how the Juvenile Corrections Facility has been functioning. The Juvenile Corrections Facility has been housing youth not appropriate for incarceration; offering no benefit to the youth or the greater community.

PC 1: “Rhode Island obviously needs a locked down facility for kids who are dangerous to the community or who have committed a serious crime. And this is something that will always be the case. Hopefully with the lower population this is who will be sentenced to the Juvenile Corrections Facility. This change will hopefully get the appropriate kids into the Juvenile Corrections Facility while servicing inappropriate youths through other means.”

Each key stake holder had similar feelings to PC 1. They all believed that the Juvenile Corrections Facility has the potential to help the youth who are in need of a secure facility. PC 2 explains how “Youth that are on the wrong track and are in need of a full intervention can benefit from the Juvenile Corrections Facility. The Juvenile Corrections Facility has the ability to put youths back on the path of success. And I think that incarceration, for the group that needs it with caring staff, multifaceted program, and a focus on transitioning back into the community has the potential to decreased recidivism and benefit a youth.” This sentiment was shared by each participant, but all



also agreed that not all of the youth housed in the Juvenile Corrections Facility are in need of this type of intervention. Each participant had reasons why they believed this to be happening which will be explained below.

### *Problems with Family Court*

Currently within the state of Rhode Island the selection of who is sentenced to the Juvenile Corrections Facility is flawed. In other states the DCYF equivalent or Department of Corrections plays a role in deciding juveniles' fate, but not in Rhode Island. Rhode Island is one of the few states that assigns the Family Court the only and final say. The way our juvenile justice system operates ultimately leaves the decision up to the Judge who is given the freedom to vote solely based on their personal view and opinion. These decisions are made with no background information on the youth except for the charges. This flexibility results in inconsistency of who is sentenced to the Juvenile Corrections Facility between the different Judges and provides no set way to determine which youth would be better served through a top notch community provider.

PC 1 provided an example of this inconsistency he experienced within the community recently. He was working with a client who had previously been in the Juvenile Corrections Facility and while out in the community picked up three charges. This client was not sentenced to the Juvenile Corrections Facility. Meanwhile this youth's younger brother picked up one charge, much less severe than his brothers, and was sentenced to the Juvenile Corrections Facility.

This flaw within the system has major implications for the Juvenile Corrections Facility and youth within Rhode Island. The inconsistency of who is selected to go to the Juvenile Corrections Facility is exposing youth that could be served elsewhere to

incarceration and all the negative consequences that go along with it. It has also altered the function of the Juvenile Corrections Facility and the way it is perceived by juveniles in the state.

Both JCF 1 and 3 discussed the negative impact incarcerating youth has the potential to cause. JCF 3 described how within the Juvenile Corrections Facility youth learn to become better criminals. “They are networked with and form relationships with other criminals.” JCF 1 explained how she is very against incarcerating younger youth within the Juvenile Corrections Facility because they are placed in the unit with older, more criminally involved youth. “They begin to look up to the older residents and start picking up certain behaviors. The atmosphere inside the Juvenile Corrections Facility can also become a ‘who is the toughest’, where criminal acts are idealized and that type of behavior is enforced in order for youth to prove themselves to other residents.”

Incarcerating a youth who does not need a secure facility is not only exposing them to the trauma of incarceration but forcing them to assimilate to a criminal environment.

For JCF 1 the Juvenile Corrections Facility is only appropriate for certain youth.

“I think that depends on the crime. When I see kids come in here for truancy, smoking marijuana, or that type of thing, there is definitely somewhere else these kids could be serviced. These types of kids should not be exposed to the Juvenile Corrections Facility. There should be other sanctions in place for these kids and younger juvenile offenders, such as group homes. Sending them to the Juvenile Corrections Facility really, in my opinion, causes much more harm than good. We are taking these kids and placing them somewhere with more criminally involved kids, promoting and encouraging these types of behaviors. I feel that the Juvenile Corrections Facility should really only be used for serious type offences for older youth. This is the type of situation where the Juvenile Corrections Facility could benefit someone.”

Inappropriate youth being sentenced to the Juvenile Corrections Facility also impacts the way that youth view the Juvenile Corrections Facility. Both PC 1 and JCF 1

pointed to the fact that the threat of the Juvenile Corrections Facility no longer scares youth. Youth over time become very comfortable within the Juvenile Corrections Facility, which PC 1 believes contributes to the high recidivism rate. For most of these youth the Juvenile Corrections Facility is the first time where they are in a structured environment with people who are looking out for their best interest. Within the structured environment youth learn to function at a high level. For most of them it is the first time that they are going to school every day and are actually doing well. PC 1 states “But then once they are released from the Juvenile Corrections Facility and all that structure is gone so is the functioning level of the kid. They learn to strive in a structured environment which is hard to transfer to their completely unstructured community.”

Some youth have been in and out of the Juvenile Corrections Facility so many times that it actually is more of a home to them than their real home. Most youth currently at the Juvenile Corrections Facility have either siblings, cousins, or friends currently at the Juvenile Corrections Facility or who have been previously. Being at the Juvenile Corrections Facility becomes a rite of passage for some youth and the more bids you have served the more respected you are.

PC 1 saw no real positives to incarceration the way the Juvenile Corrections Facility previously operated. For him “housing wayward or truant youth within a secure facility offers no benefit to the youth or the community and negatively impacts the way youth’s view the Juvenile Corrections Facility.” But his hope was with the move to the new facility, having a lower population, would allow “the Juvenile Corrections Facility to house only youth that are criminally involved while serving other youth through different means.” PC 1 also expressed a hope that with the move to the new facility youth’s

outlook on the Juvenile Corrections Facility will change. “With the facility looking more like a prison and housing only delinquent youth, juveniles hopefully will be much less eager to be sentenced there.”

A barrier that both PC 1 and 2 have experienced to this transition happening is a lack of understanding that community based services can be utilized as an alternative to incarceration from the Family Court. PC 2 expressed how “the Family Court Judges need to understand that there are other options for youth than the Juvenile Corrections Facility. There are alternative placements or community services that can be accountable and benefit our youths.” Until the Family Court gets on the same page, because they make the ultimate decision of who is sentenced, can this transition begin to take place.

PC 1 has felt a very similar struggle trying to get everyone on the same page understanding his new YTC Program. The YTC program is an intensive outreach and tracking for higher end youth who have more serious criminal records and pose more of a risk to the community. This program works with Safe Streets, which sort of acts like probation. Safe Streets is allowed to impose curfews, drug screens, and exclude youth from certain areas of the city all without going through the courts. Without Safe Streets to get any of those things implemented you would have to go through probation and have them court ordered. This process can result in different outcomes than intended and is a much lengthier process.

The way that it operates now allows only youth who are released from the Juvenile Corrections Facility early to be eligible for Safe Street conditions, meaning youth leaving at their end of sentence cannot be involved with the program. PC 1 sees

this as a big flaw not only because it prohibits youth who would benefit from the program from participating but also because it has to go through the courts to get approved.

PC 1 described how at first people did not understand the YTC program and what it included. He first went to the Juvenile Corrections Facility and presented the program giving the people there an understanding of what the program is going to do and the goals it is trying to accomplish. Once they had gained an understanding of Safe Streets the Juvenile Corrections Facility got on board and worked to get youth who would be appropriate for the program out early. The Juvenile Corrections Facility, in an effort to decrease their population, was trying to develop a system to get youth out early and the YTC program's intention was to relieve some of this pressure. But even after the Juvenile Corrections Facility understood the benefit to getting youth out early didn't always mean a youth was released early. Some youth that the Juvenile Corrections Facility would recommend for early release to the courts would be denied by the Judge.

PC 1 explained how,

“The court sometimes, I think, views the Juvenile Corrections Facility as trying to just push kids out and that is why they will deny kids early release. What they don't see is how the Juvenile Corrections Facility and we view it and why. If a kid works hard to get his level and is good than by letting him out on early release ensures that all his services are implemented through our program. This seems reasonable and fair to us but the judge could easily disregard the opinions of the people at the Juvenile Corrections Facility and deny their recommendation for early release. They also are denying kids for early release who have not reached their level which I understand because we should not be rewarding negative behavior. But these kids are the ones who could benefit from our program the most and will be unable to get it unless they are released early. I understand not wanting to let them out because their behavior is not up to standard but by making them stay their whole sentence is denying them opportunity to benefit from our program. Until everyone is on board and on the same page about the program will it be able to be utilized to its full capacity.”

*Disconnect Between Community Systems and the Juvenile Corrections Facility*

PC 2 discussed how transition from the Juvenile Corrections Facility back into the community is something that needs to be worked on. “The transition from utilizing what you learned inside the Juvenile Corrections Facility and applying it in the outside community.”

PC 1 offered his opinion to what limits this transition of knowledge or skills from happening.

“I think that there can at times be a disconnect between the Juvenile Corrections Facility and the community. The Juvenile Corrections Facility is all about rehabilitating the individual without looking into their lives out in the community. When a kid is in the Juvenile Corrections Facility he is the main focus of work, the only real access to information about the home or family life is through the words of the resident with no observation or discovery of your own. The Juvenile Corrections Facility take kids out of their homes without looking at the problems within them and then at their end of sentence sends them back there which at times can be inappropriate. Incarcerating youths takes kids out of their environment when really their environment can be a big part of the issue.”

PC 1 also described a big barrier to this smooth transition is Rhode Island’s public schools. PC 1 continually finds public schools unwilling to deal with youth from the Juvenile Corrections Facility.

“School’s willingness to deal with our kids is definitely an issue as well. I mean I understand the school side that our kids are challenging kids but they deserve a fresh start and teachers and schools are very unwilling to give them this. Schools have outcast our kids and have not made it easy for them to transition back into school. And when our kids receive negative feedback from any source they react with negativity and noncompliance.”

A big part of this issue in PC 1’s opinion is how the transition from the Juvenile Corrections Facility School to the public school system is handled. Youth from the Juvenile Corrections Facility can be released and ready to be enrolled back in public school at any point during the year. PC 1 describes how he:

“understands the school side of it a bit too because, I mean right now it’s about to be April half way through the semester and they could have a new kid in the class. I know it is hard for these teachers to focus all of their time on just one student but still they provide no type of review or catch up for the kid to get on the same page as everyone else. I mean the material they are learning at the Juvenile Corrections Facility is different than the schools in the community and they are just plopped in there with no help or support. Soon enough once a kid feels lost in the work or put off by the attitude of the people at the school, he’s gone. Once it is discovered by the teacher or the school that a kid comes from the Juvenile Corrections Facility a stigma is placed on him within the school. And with our kids if they have a bad experience such as this they will give up. This is why transition from the Juvenile Corrections Facility School to public schools is something that, in my opinion, desperately needs to be improved.”

### *Issues with Service Providers*

The main issue expressed by all participants with the current functioning of Rhode Island’s services for delinquent youth was accountability. PC 1 believes that “There needs to be a way within our community agencies to show that they are actually doing what they say they are doing. There needs to be a clearer cut way to hold programs accountable because providing inefficient or ineffective programs is a disservice to these youth.”

JCF 3 described his experience with outside providers as inconsistent, a lot of promises made with minimal delivery. He feels as though “there are some community based services who are for the kids, and these are the types of services we try to connect youth too. But then there are services that are only concerned about sustaining their agency and making money, and these are the ones you need to be careful of.” In JCF 3’s opinion a case where accountability standards are not being met is in probation. “Probation is supposed to be utilized as a wrap around tracking service, but sometimes it takes them weeks to make contact with a youth after he is released.”

JCF 3 also described how within community agencies “There are constantly changing rules and protocols with programs. Programs are constantly changing or combining making it hard to keep track. There is just a lack of communication out there that makes it difficult to navigate certain agencies and access services for our kids.”

JCF 1 felt that the main issue with community providers is that “most of the after care services are just as overwhelmed as we are. They are all experiencing cut backs in workers and finances and are working hard to make it all come together. Having worked in the community I know it takes a lot to engage kids into services. This type of population is not easily motivated or cooperative. It takes an extra effort to engage these kids to become involved with services. But the problem is that the people who are hired to do this engaging are overworked and under paid and do not have the time or resources to go the extra mile with every kid.”

PC 2 thinks that there has to be set criteria of excellence that outside alternative providers need to show they can meet. “Currently there are some criteria that community providers need to adhere to but it needs to be done in a way that we can measure performance and effectiveness. We need providers with experience who have what it takes to handle and support these youth.”

### *Problems within Rhode Island*

For the most part all participants felt that Rhode Island did have the necessary services needed to provide for this population. JCF 2 stated that she felt “pretty confident that we do have all the services available that are needed for our youth.” PC 1 explained how in his opinion:

“Rhode Island puts a lot of time and money into getting services for kids. You can say whatever you want about Rhode Island but you really cannot



say that they don't care about the youth in the state." For him "the problem isn't really that there is a lack of services, it is more of a system issue. DCYF and the Rhode Island Family Court do not communicate enough, DCYF, probation, and the police, do not communicate enough. All these different systems need to come together to benefit these youth."

Both JCF 2 and PC 1 discussed how Rhode Island's current unemployment rate heavily impacts this population. Rhode Island currently has the second highest unemployment rate in the country. Within Rhode Island adults are having trouble finding and maintaining jobs not to mention youth. JCF 2 described how this is especially hard for the youth she works with who are 16 or 17 with no prior work experience. JCF 2 believed the lack of jobs available for these youth plays a big role in youth's recidivism.

PC 1 had similar feelings. PC 1 described how "when a person works and begins to provide for themselves they feel accomplished. When you make money you are able to start buying things and feel motivated about something. Our kids have none of this. We are living in a very materialistic world and it is almost impossible for these youths to find legal ways to make money."

JCF 3 described how these youth not only need someone to help them find a job but also to train them how to work. "These youth need to be taught work skills and trades in order for them to find jobs to support themselves." He expressed how in order for these youths to succeed in the community they need to be matched to their strength. "They need to be given something to work for, and this is something that is lacking for them out in the community."

PC 2 discussed how the unequal access to systems within Rhode Island impacts who is housed in the Juvenile Corrections Facility. She described the two different populations in Rhode Island, the ones who have money and access to resources and the

ones who do not. And it is in part because of this inequality that the Juvenile Corrections Facility has become the default housing unit for certain youth.

“Youth who live in poverty are disadvantaged in many aspects of their lives. For schooling they have only had access to the worst public schools in the state with the most overcrowding and limited funding. These are the schools where activities are being cut such as sports, music, and art. They have very minimal access to mental health services and other types of care. And there is an overall lack of support in their lives and they have no one to advocate for them.

“For many youth the first time they have ever been to the dentist or the doctors has been at the Juvenile Corrections Facility. The first time they have ever been treated for substance abuse or mental health issues has been within the Juvenile Corrections Facility. This is not what Juvenile Corrections Facility is meant to function as, but because of our unequal system it has. If a youth from affluent family faced a mental health or substance abuse issue they would have the ability to obtain quality services without much effort. Youth from an impoverished family does not have the same access to services and usually does not have the supports to identify the issues.”

To help rectify this misuse of the Juvenile Corrections Facility, PC 2 discussed how preventative measures needs to be taken for these youths. “There needs to be early identification of problems and an effective and accessible treatment. Most of the issues that lead youth into the juvenile justice system can be prevented with early intervention. We need to discover ways to augment the system to provide services to youth who have been shut out of the system. This will enable youth to receive early treatment and avoid being incarcerated at the Juvenile Corrections Facility.”

### *Steps Toward Improvement*

The overall responses from the participants is that within Rhode Island improvements are being made to the functioning of our Juvenile Justice system. All participants noted an improvement in communication between departments and overall

functioning of the system. They all agree that there are definite things that need to be changed and addressed but the foundations to create change are being built.

Both PC 1 and 2 discussed how a big improvement to manage who and how a juvenile is sentenced to the Juvenile Corrections Facility is being developed. PC 1:

“A big improvement that has been made is that the way our courts are run now is that when a kids appears in court there is no prior assessment done. The only information provided is the charges and the Judge makes his final say just from that. But they have started to work on an assessment tool which will help the courts get a fuller picture of the youth.”

PC 2 agreed with him stating that:

“We needed a risk assessment tool. This would be used a sort of sorting mechanism, a guide post to determine who requires a secure facility and who does not. This tool is not put in place to or intend to take any power away from the Family Court and the Judge’s rulings, but gives consistency to who goes.”

The type of assessment tool that is being developed in Rhode Island has been implemented in Virginia has been very successful in regulating who gets sentenced to incarceration and in decreasing the overall juvenile incarcerated population.

The creation of the Transition Unit also offers promise to helping youth transition successfully back into the community. JCF 3 explained how “The idea behind the Transition Unit was to help transition kids back into the community. We envisioned being able to take kids out into the community to meet with providers before their release to help them make a smooth transition back into the community.” This program was developed specifically to prepare youth to re-enter the community and help transfer the skills they have worked on inside of the Juvenile Corrections Facility to the outside community.

Another promising change for Rhode Island's delinquent youth is the creation of the YTC Program. PC 1 has put a lot of time and effort into creating a program that is going to benefit youth within Rhode Island.

“That is why we are doing so much work to make our program not only work but be effective. We work with a high risk population and if everything is not put into place and organized effectively the program will not be able to function. This is something that we take seriously here because we want our program to be effective for these kids. The kids we work with are kids that could murder or be murdered and it is very serious and the programs we put in place for them have to function effectively and efficiently.”

The fact that the state has people working out in the community who are dedicated to benefiting the lives of delinquent youth offers much hope to the Juvenile Justice System in Rhode Island. The YTC program is also working to not only benefit youth through its own program but by collaborating with other programs to provide the most support for these youth. PC 1 described how

“The YTC program is trying to partner with other agencies to make these barriers come down. The program is a collaboration between Network Rhode Island, CCAP, Probation, and the Non Violence Institute all working together to provide for our kids. Our goal of the program is to develop a relationship between all the providers so that we can work together to provide for our kids. A big barrier can be lack of communication between programs and this is something that the YTC program hopes to eliminate.”

Probably the most hopeful aspect for Rhode Island's Juvenile Justice System is the open communication and collaboration between systems and agencies that has been developed. As PC 2 noted “There was a law, a policy that created change; it started dialogue and now here we are.” The beginning steps have been made to provide a foundation for much needed change within Rhode Island.

PC 2 explains how “It really isn't about the number of beds. Filling the beds and overcrowding the facility would be the easier route with none of the benefits. The hard route would be coming together as a community to develop a way to preserve public safety and rehabilitate youth in the

community successfully.” She also noted that this change was not going to be made over night. “The resources need to be transferred over time from incarcerating youth to serving them within the community There needs to be a lot of proper planning and organizing to develop a plan to make this transition work without sacrificing public safety and or the best interest of the youth.”

### *Discussion*

This study intended to examine the transition of utilizing community based resources as an alternative to incarceration for Rhode Island’s juvenile delinquents. This study aimed to evaluate the functioning of Rhode Island’s current services for delinquent youth and identify points of needed improvement. The study was conducted by interviewing five key stake holders within Rhode Island’s Juvenile Justice System.

From the literature it was hypothesized that all of the key stake holders would be supportive of the transition to utilizing community based resources for delinquent youth. However, the literature did not include the current struggle Rhode Island’s community based resource are having managing caseloads with minimal support and funding. The data gathered from the five key stake holders supported both the hypothesis made by the literature but also included concerns with the functioning of Rhode Island’s public services.

As the Annie E. Casey Foundation (2008) predicted many of the youth within the Juvenile Corrections Facility are negatively involved with other systems within Rhode Island. As Kaufmen’s (2008) research showed 32.4% of the male population and 56.3% of the female population families are involved with DCYF. Nearly half the adjudicated youth within the Juvenile Corrections Facility in 2008 had been prior victims of documented child abuse and neglect. The overall average reading level for youth

adjudicated within the Juvenile Corrections Facility was fifth grade although the average age was 16.7. Half of the residents at the Juvenile Corrections Facility require special education services.

This information alone proves that the problems the juvenile justice system faces on a national level holds true within Rhode Island as well. Like in many other states Rhode Island's Juvenile Corrections Facility has become a default housing system for youth who have been failed by other systems. Youth who are at risk often come to the attention of public schools, social service agencies and child welfare systems, presenting opportunities to prevent juvenile justice system involvement (KidsCount Factbook, 2009). The statistics of the youth at the Juvenile Corrections Facility prove this to be true and Rhode Island's systems are in need of preventative strategies to avoid incarceration. All the literature supported preventative measures to reduce juvenile delinquency and each key stake holder agreed.

Issues revolving around who is sentenced to the Juvenile Corrections Facility was discussed by the Annie E. Casey Foundation as a national problem is seen in Rhode Island as well. Originally the discretion and informality given to the Family Court Judges was intended to encourage flexible and creative responses but resulted in disparities between sentencing (The Annie E. Casey Foundation, pg 9). The key stake holders interviewed believed that the freedom given to the Family Court Judges resulted in major inconsistencies of who is sentenced to the Juvenile Corrections Facility and gave no set standard to who could be better served through community providers.

Another issue discussed by Snyder and Sickmund (2006) was the inappropriate housing of youth in detention centers. The housing of youth in detention centers is

expensive and can have a detrimental effect on youth's future. According to PC 2 in 2007, 73% of admissions to detention at the Rhode Island Juvenile Corrections Facility resulted in stays of seven days or less. Of these short admissions, 24% led to adjudications to the Juvenile Corrections Facility or Temporary Community Placements, while the remainder resulted in release. PC 2 discussed how there needs to be an alternative place to house these youths awaiting trial. The use of the detention center as a temporary housing facility for youth awaiting placement or trial is a disservice to the youth and costly to tax payers. Rhode Island, like many other states, needs to develop an alternative housing unit for youth and can no longer allow youth to be incarcerated who are not criminally charged.

A lack of connectedness to school or work was mentioned by Synder, Sickmund (2006), Limbos, and Casteel (2008) as a factor contributing to youth's involvement with the juvenile justice system. This is something that is true with Rhode Island's youth as well. With the state of our economy all the key stake holders have expressed a concern that with summer approaching the juvenile crime rate will rise. Within Providence over the past couple of months there has been a gang war. Within a three week period there were three shootings involving youth within Providence, resulting in two deaths of seventeen year old males. The atmosphere in Rhode Island is what community providers call 'hot'. It is a very dangerous time to be out in the community.

In hopes to avoid this problem, grants have been made to create over two hundred summer jobs within Rhode Island for at risk youth. Being distributed through various agencies working with at risk youth these jobs hope to keep youth off of the street and encourage pro-social behaviors.

Another big issue mentioned throughout the literature was a lack of parental involvement. Each key stake holder discussed how youth within the Juvenile Justice System usually come from broken families that provide little support for the youth. The transition from utilizing community based resources as an alternative to incarceration offers hope for this. As PC 1 explained “I think that this could offer a very positive change. It gives the power back to the parent. Incarceration takes kids away from the parents and out of the home. This gives the power back to them to work with the kid for improvement because they are their responsibility.”

### *Strengths and Limitations*

The type of research that was done and how it was implemented offers both strengths and weaknesses to the study. A strength of the study were the interviews conducted with representatives from within the Juvenile Corrections Facility and outside community providers. This allowed the study to show both sides to the topic and gave insight into how people coming from different vantage points can hold different opinions. Another strength would be the richness in content of the study. Since the interviews were one on one and took about an hour in length the information gathered was extensive. These one on one interviews allowed follow-up and clarifying questions enabling a full view of the issue.

An additional strength to the study was the fact that the interviews were being conducted during the time the transition was taking place. This made the topic relevant and fresh in people’s minds. The questions then were allowed to be based on facts about the move rather than predictions or assumptions.



There are also limitations that need to be considered when reviewing the study. Since the participants were selected based on availability and willingness to participate in the study it was only possible to get five representatives. It was because of this as well that the three key stake holders from the Juvenile Corrections Facility were all from the same unit, the Transition Unit. Because of this their answers and main focus with delinquent youth is on transitioning them back into the community. If representatives from other units were interviewed a different perspective could have been brought into the study.

### *Implications*

From the interviews conducted it would seem that Rhode Island is making the necessary preparations to begin utilizing community based resources as an alternative to incarceration for juvenile delinquents. All the participants noted an increase in communication and planning between the different systems and a belief that Rhode Island would have the resources to provide a better alternative to incarceration for youth. Although the hypothesis suggested the current functioning of Rhode Island's community based services would not be able to manage an increase in caseload, this did not appear to be the case. Each participant commented on the current problems within community providers but also discussed way in which the issues were being addressed.

The results of this study have some implications for social work practice, research, and policy. This study illustrated how the inappropriate use of incarceration that is seen on a national level holds true within Rhode Island as well. It supported a lot of the youth within Rhode Island's Juvenile Corrections Facility could be better served through other means. Most of them have been involved with numerous other systems and have

either failed or been failed by them. This suggests that other Rhode Island systems, such as public schools, child welfare, etc., have the potential to identify at risk youth early on to prevent their involvement with the juvenile justice system. Putting into place more preventative services for youth could really limit the number of youth falling into the juvenile justice system.

The implications from this study should be used to put into place better access to services for at risk youth. There should be better access to mental health and substance abuse services, more educational support out in the community, and more of an effort to ensure that no youth falls through the cracks of our child welfare system. More research should be done to identify which systems these youths are slipping through and how to make them more effective and efficient for all youth within Rhode Island. There should be policy changes made within the schools providing more support for youth with educational disadvantages to grant them the opportunity to be successful in school. There should also be a way to encourage parents to be more involved within the juvenile justice system so that they can continue to be connected and responsible for their children.

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