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Unlocking Potential: Examining the Funding of Juvenile Detention and Effective Alternatives in Massachusetts

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OVERVIEW

Over the past decade, the number of teenagers involved with the juvenile justice system has declined significantly. Among other things, this has meant fewer arrests, fewer arraignments in juvenile court, and fewer kids detained by the Department of Youth Services (DYS) in a juvenile facility. At the same time, funding for DHS has remained roughly level,¹ allowing DHS to provide better services to kids in detention and to provide an increasing array of alternatives to secure detention – which has the long-term effect of further reducing juvenile arrests, detentions and convictions.

In this brief we explore recent trends in the budget for DHS programs and services over time. We also look at newer alternative programs and services being developed for kids entering the juvenile justice system, and compare costs across the detention continuum. Finally, we consider funding options that would support the continued development of detention alternatives.

The Massachusetts juvenile justice system handles kids under the age of 18 who get in trouble with the law. It is separate from the adult criminal justice system, and has its own courts, judges, and probation officers trained to provide services to youth. Also, while the primary goal in the adult system is public protection, the juvenile justice system focuses on rehabilitation or redemption and positive change in hopes that youth will not get in trouble again.

In the juvenile justice system, public protection is thus achieved not just by removing dangerous youth from the community, but also through a focus on positive youth development. The assumption is that an effective juvenile justice system can reduce the number of youth who will get in trouble later in life.

¹ Although detention funding is basically level over the entire period, funding for detention has been trending lower since FY 2006 (Figure 4). Exceptions to the trend include the increase in FY 2008 which was due to specific events. This increase was reversed in FY 2010 continuing the overall downward trend. The other exception, the increases in FY 2013 and FY 2014, was partly due to Chapter 257 rate standardization which increased rates paid to providers.

For those kids who do get in trouble, the treatment they receive – whether waiting for trial or for a probation violation hearing – matters a lot. For some of these kids, this will be the only time they ever spend in the custody of DYS. And in many cases, the kids will ultimately be found to have done nothing wrong.

At arraignment, there are several options available to judges. First of all, a judge could simply send a kid home to await trial. In most parts of the state, if a judge determines that a kid is not likely to show up for trial or it might not be safe for a kid to await trial at home, the judge then sends a kid to DYS to be detained.

For kids who are sent to DYS detention, there are generally three types of programs. The first, secure detention, is a facility with locked perimeter and inside doors restricting movement. This option is the most expensive, and studies show it is also the most harmful for kids.

The other two options are alternatives to secure detention. The first, shelter beds, also called Staff-Secure, is a medium security option. The shelter facility has locked perimeter doors, but allows for a bit more freedom than a secure facility. The cost for a shelter bed is only slightly less than the cost of keeping a child in a secure facility and still requires that kids are removed from their own community. The third option, foster care, is community based. Foster care spots are available to youth who are considered low risk for running out on their trial date. DYS contracts with local foster care providers to set aside a specific number of spots for youth in detention.

In a few parts of the state, there are also alternatives available to judges which keep kids out of detention entirely. In a few locations, judges can refer kids to an alternative community based program outside the DYS detention system where kids receive needed services while also living at home and awaiting trial. This option allows kids to receive help they would not get if they were just sent home directly by judges, and it is a less expensive option than detention.

A growing body of research shows that secure detention in a locked facility can be very harmful to a child's future. It can negatively affect children's mental health and throw their education off track, all while increasing the likelihood they will be arrested when they are adults.² In fact, just the experience of having been in a secure facility is a significant factor for recidivism as an adult.³ (For more information about the harm done by staying in a secure facility, see the [CFJJ companion paper](#).) Finding alternatives to detention may save the state money, but most significantly, these alternatives are better in the long run for the young people whose lives are affected.

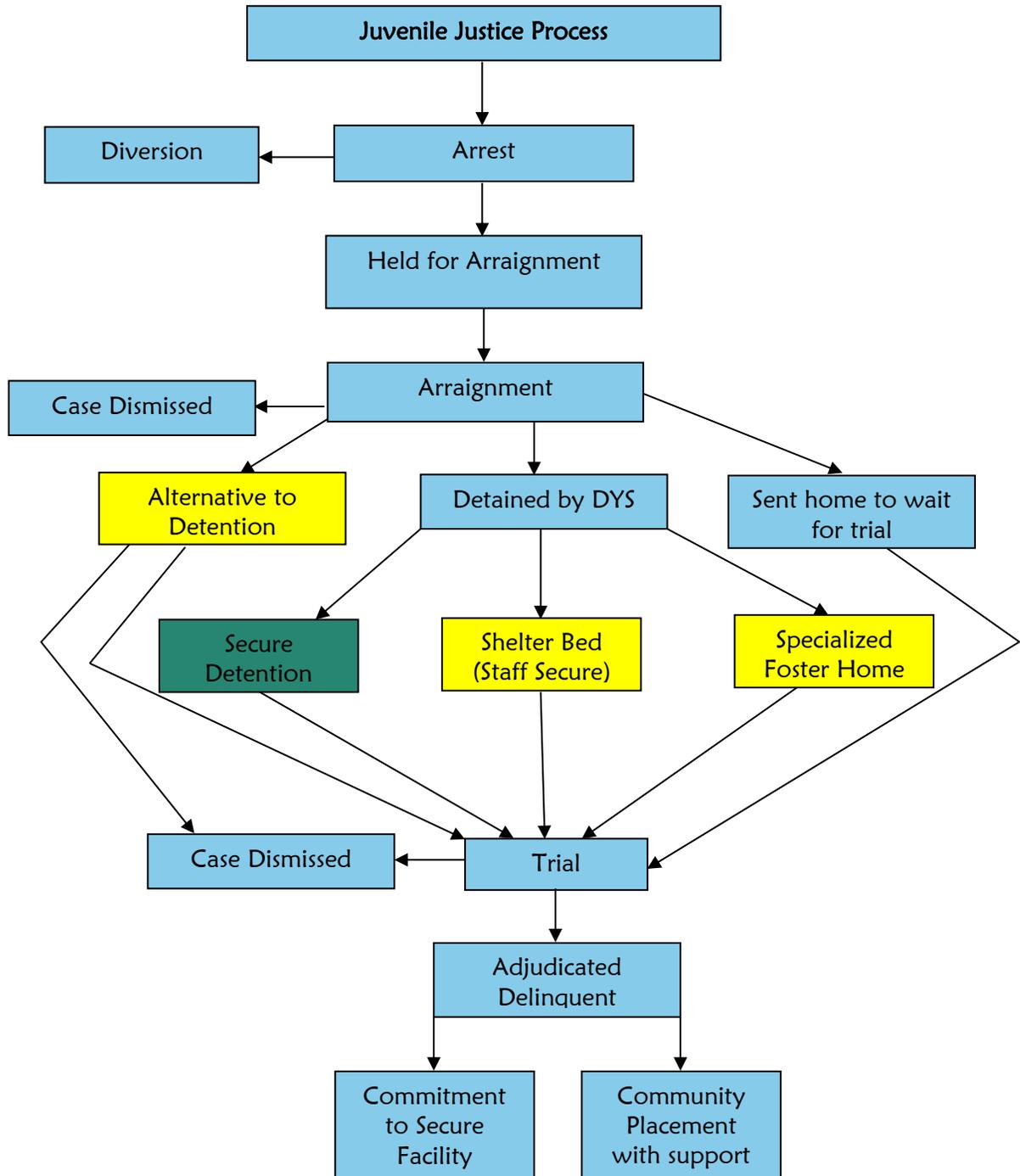
CFJJ Companion Report

In addition to being costly, juvenile detention leads to worse outcomes for kids and communities. Detention is traumatic – disrupting normal adolescent development and interfering with education. It also significantly reduces kids' chances of growing up into successful, law-abiding adults. *Unlocking Potential: Addressing the Overuse of Juvenile Detention in Massachusetts*, a companion report by Citizens for Juvenile Justice, highlights why detention is harmful to kids, who we detain, and what alternatives to detention are working well in Massachusetts. It also calls attention to work that still needs to be done, including the need to expand models already being developed at the local level to reduce juvenile incarceration around the Commonwealth. Both reports are available online at cfjj.org/unlockingpotential.php

² Gatti, Tremblay & Vitaro, (2009, August). Latrogenic effect of juvenile justice. *Journal of Child Psychology and Psychiatry*; Kashani, et. al. (1980) Depression among Incarcerated Delinquents. *Psychiatry Resources*; Bezruki, Varana, & Hill. (1999). An Evaluation of Secure Juvenile Detention.

³ Benda and Tollet. (1999). A study of recidivism of serious and persistent offenders among adolescents. *Journal of Criminal Justice*.

A Focus on Alternatives to Secure Detention



DEVELOPING ALTERNATIVES TO SECURE DETENTION

In an attempt to decrease the use of secure detention for kids who are detained, the Juvenile Detention Alternatives Initiative (JDAI) program⁴ was introduced in Massachusetts in 2007. JDAI aims to reduce reliance on secure detention for kids. These alternatives include both supports that allow kids to remain at home outside of the DYS detention system entirely, as well as alternatives to secure detention within the DYS system.

In recent years, DYS has increased the use of shelter beds and foster care for kids waiting for trial. Even with these increases, the majority of kids being held on non-violent minor offenses are still detained in a secure facility. And in Massachusetts, only about 20 percent of juveniles awaiting trial are “adjudicated delinquent” (found guilty). Thus, many kids suffer the harm of being placed in secure detention, even though they will not be convicted of a crime.

Keeping Kids Out of Detention Entirely

Opportunities to keep kids out of secure detention occur throughout the juvenile justice process. Kids can be diverted prior to arraignment keeping them out of the court system. In Massachusetts, when kids are arraigned and given a trial date, most are either sent to DYS for detention or sent home. In a few regions though, judges can send kids to an alternative program run by providers outside the DYS detention system. These programs provide services to kids at home, a less expensive option than all types of detention, including foster care.

In the Northeast Region a restorative justice program aims to not only keep kids out of detention, but also out of further court involvement. The aim is to hold kids accountable without the repercussions of court involvement. In Massachusetts, Communities for Restorative Justice (C4RJ) brings together the youth, the “impacted party,” family, and others affected by the offense to discuss what happened and to agree on a plan for the youth to repair the harm or address underlying issues causing the behavior. Action plans can include many of the same tasks as traditional diversion programs, such as restitution, community service, counseling or other appropriate services.

GLOSSARY OF TERMS

Juvenile Justice. A separate justice and court system designed to respond to, and, as necessary, rehabilitate children and youth under 18 who are accused of criminal offenses.

Detention. Court placement of youth in DYS custody pending trial or a probation violation hearing.

Secure Detention. Detention in a secure, jail-like facility with locked perimeter and bedroom doors.

Staff Secure Detention (Shelter Bed). Detention in a medium secure facility with locked perimeter doors, but unlocked dormitory style bedrooms.

DYS Foster Care Detention. Youth are placed in a community based foster home with additional support from DYS.

Detention Alternatives. Alternatives to detention in which youth receive services from a non-profit provider while living at home.

Juvenile Arraignment. Formal court proceeding at which a child is charged with a crime and a juvenile court record is created.

Commitment. A sentencing option in which a child who has been adjudicated delinquent is placed in DYS custody until age 18 or 21. Youth are initially placed for evaluation in a secure program, but may subsequently be allowed to live at home or in other settings (e.g. independent living, or therapeutic foster care) under DYS supervision.

⁴ The Juvenile Detention Alternative Initiative was developed with support from the Annie E. Casey Foundation. This funding is distinct from the funding for the KIDS COUNT project which supported the research for this brief.

Two other programs run by outside agencies provide alternatives to detention. Agencies provide services to kids at home while they wait for trial or a probation violation hearing. The Robert F. Kennedy Children's Action Corps' Detention Diversion Advocacy Project (DDAP) in Dorchester is one such program. Each child assigned to DDAP is matched with a Youth Advocate, who sees the child several times per week while the case is pending to address unmet needs that the child may have. The program lasts only while the case is pending. Three-quarters of participants successfully complete the program, meaning that they comply with its requirements, have no new offenses, and attend all court dates.

In Salem, "On Point," a collaboration between Plummer Home, the Salem Police, and the Essex County Juvenile Court, provides another community-based alternative to detention. Participants are required to engage in a certain number of therapeutic groups and community service sessions, as well as recreational offerings. They are also expected to achieve one personal goal, such as improving their school attendance or getting their driver's license. Three-quarters of kids referred to the program successfully complete its requirements.

(A deeper analysis of these alternatives can be found in the [CFJJ companion paper](#).)

Alternatives to Secure Detention within DYS

DYS operates programs all over the state including:

- 56 facilities ranging from staff secure group homes (shelter beds) to highly secure locked units
- 26 programs to serve youth living in the community, whether with a parent or guardian, at a foster home, or at an independent living program

In the past few years, pilot programs of the Juvenile Detention Alternatives Initiative have extended to all regions of the state. Successful programs from one region, like the Central Region Reception Center, are copied and modified to meet the needs of other regions. As the number of kids detained continues to fall and as the JDAI initiatives continues to spread, the use of secure detention facilities also continues to fall. In FY 2012, 79 percent of kids waiting for trial were placed in secure detention. In FY 2013, that had dropped to 65 percent.

The various Juvenile Detention Alternatives Initiative services run by DYS are:

- Court liaisons in Worcester, Suffolk, Middlesex, and Essex Counties, West Region and Southeast Region
- Reception center & foster care in Central and Metro Regions
- JDAI statewide detention reform specialist position instituted
- Shelter bed programs in Southeast, Northeast and Western Regions
- One statewide shelter bed program for girls in Grafton

The Central Region Reception Center

In 2010, Massachusetts opened up the Central Region Reception Center to help divert low risk youth from secure detention to foster care placements. The Massachusetts Risk Assessment Instrument is

used to help determine how likely young people are to appear at trial. Youth assessed as low risk for failing to appear at trial are good candidates for a foster home placement.

DYS contracts with LUK, Inc. in the Central Region to provide foster care for youth awaiting trial. To ensure foster care spots are available when needed, the contract sets aside spots and pays foster care parents even if their bed is unfilled. Currently, foster parents are paid \$100 a night when a child is placed in a bed and \$25 when a bed is empty.

DYS recently added 2 more foster care spots in the Central Region bringing current capacity region to 10. Since its inception in 2010, over 450 youth have been placed in foster care in the Central Region. All of them have returned to court for their scheduled appearances, and just one has been charged with a new offense while in foster care.

In order to make foster care placements work, a number of additional services must be available for kids: transportation must be arranged to help them get to school and back; and kids often have to be cared for after school until their foster parents come home. A typical day for youth in foster care involves being picked up in the morning by DYS and driven to school. After school, the youth is again picked up by DYS and driven home or to the reception center. Youth stay at the reception center until a foster parent returns home from work, at which point the child is driven home by a DYS youth worker. DYS youth workers contact the foster kids in this program multiple times every day in order to ensure that necessary services are provided.

Even with these successes, there are still not enough alternative placements. None of the regions in the state currently has the full continuum of programs available to kids. In three regions, there are no foster care placements available at all.

DYS Continuum of Detention Placements (CY 2013)			
Region	Foster Care	Shelter Bed	Secure Detention
Metro	Reception Center opened in April 2013. Diverted 15 youth to foster care placements in 2013	No Capacity	380 youth detained in secure facility in 2013
Southeast	No Capacity	Shelter is available for boys only. 290 boys stayed in shelter bed in 2013	216 youth detained in secure facility in 2013
Northeast	No Capacity	Shelter is available for boys only. 152 boys stayed in shelter bed in 2013	227 youth detained in secure facility in 2013
Western	No Capacity	Shelter is available for boys only. 54 boys stayed in shelter bed in 2013	352 youth detained in secure facility in 2013
Central	Reception Center opened in February 2010. Diverted 80 youth to foster care placements in 2013	No Capacity	234 youth detained in secure facility in 2013
Statewide		A shelter for girls is available in Grafton. 188 girls stayed in shelter bed in 2013	

The Central Region, for instance, has a secure detention facility and foster home space, but no shelter beds for medium risk youth. This means that medium risk kids who could be good candidates for a shelter bed are often placed in secure detention.

Too often, in regions across the state, low risk youth and youth held on non-violent, minor offences are still placed in secure detainment. In a 2009 study, DYS found that almost two-thirds of youth facing trial were low or medium risk and therefore would have been good candidates to be placed outside a secure detention facility while awaiting trial.⁵ Of the remaining one-third of youth, 63 percent were awaiting trial accused of committing less serious offenses. These kids might also have been good candidates for an alternative to secure detention.

Unfortunately, these alternatives do not seem to be available. For example, on January 1, 2013, of the 97 kids in detention, more than two-thirds (66) of these kids were held in secure detention. Another 28 were in a shelter bed (staff secure) facility. Only three were placed in foster care.

Expansion of community placements in foster care has been slow accounting for only seven percent of placements in FY 2013, up slightly from five percent in FY 2012. In the state, there are currently six foster homes (12 beds) available for youth in detention. Ten of the beds are in the Central Region and the other two, in one home, are in the Metro Region. These limited programs are not uniformly available across the state.

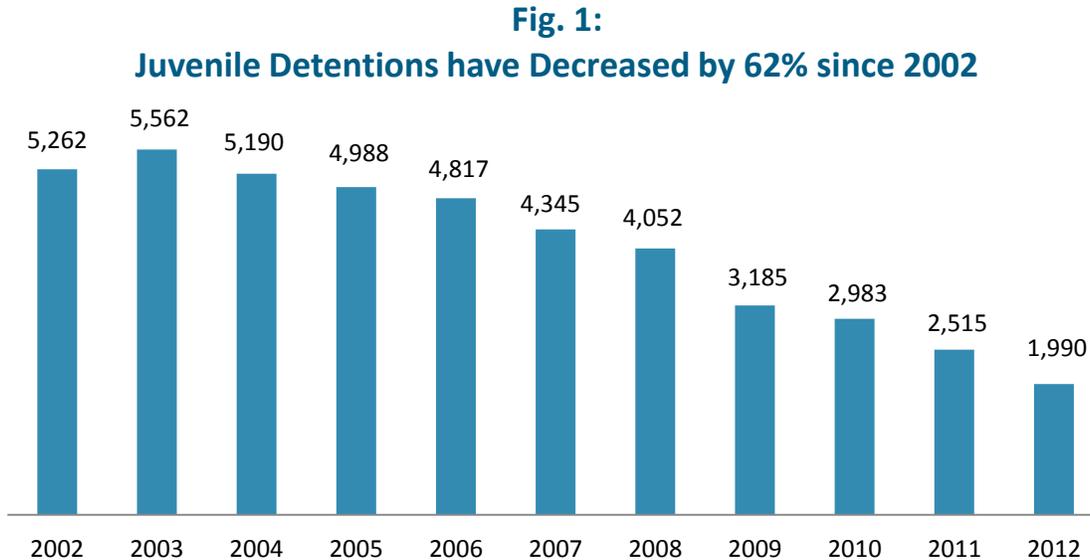
⁵ Juvenile Detention Alternative Initiative (JDAI) Accomplishments – 2009. Received from DYS.

To further increase the number and rate of kids placed in alternatives, DYS could continue to extend alternative offerings so that each region has the full continuum; and not just the full continuum, but the needed capacity as well. One foster home in a region is likely not enough to serve the number of low risk youth waiting for trial. Increasing the available community options for kids will help many more kids stay out of secure detention. Options outside the DYS detention system, including programs such as C4RJ, DDAP, and On Point should also be pursued by the state and promoted to judges as alternatives to more costly placements in detention.

WHAT IS THE BUDGETARY IMPACT OF ALTERNATIVES TO SECURE DETENTION?

Number of Kids in Trouble has Decreased Significantly in Massachusetts

The number of juvenile arrests has been decreasing steadily for more than a decade – both across the country and here in Massachusetts.⁶ From 2006 to 2010 juvenile arrests in Massachusetts decreased by 28 percent.⁷ Arrests for violent crimes decreased even more, by 35 percent, over this same period. These declines mean that today there are many fewer kids involved with the juvenile justice system. In fact, the number of kids detained by DYS decreased over 62 percent since 2002, from 5,262 to 1,990 kids during 2012, as Figure 1 shows.⁸



⁶ FBI juvenile crime statistics retrieved from http://ojjdp.gov/ojstatbb/ezaucr/asp/ucr_display.asp

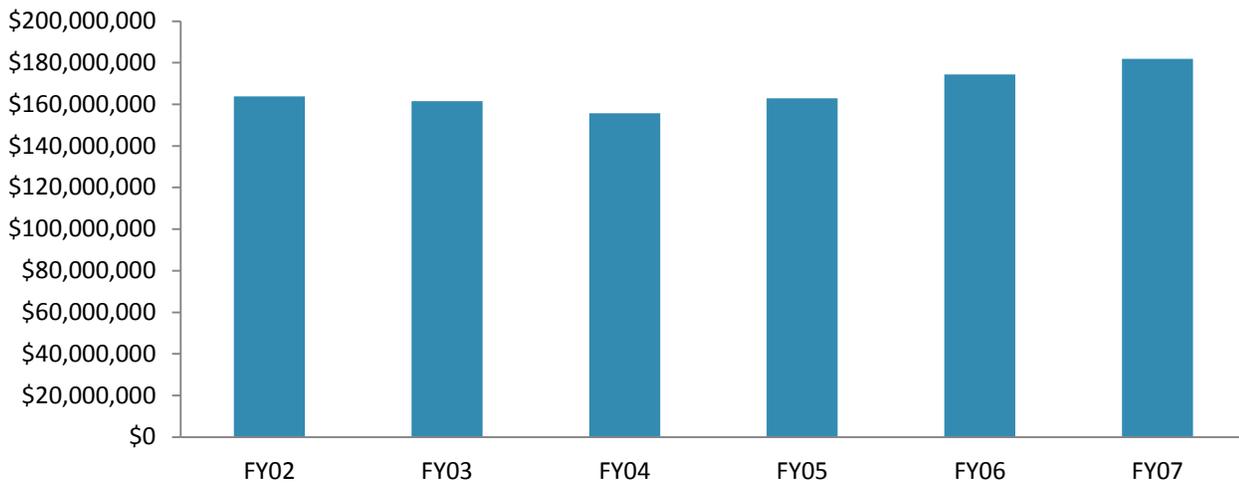
⁷ FBI juvenile crime statistics retrieved from http://ojjdp.gov/ojstatbb/ezaucr/asp/ucr_display.asp

⁸ These numbers are far less than the number arraigned because the court dismisses the majority of juvenile cases before trial. Around 30 percent of juveniles that are arraigned end up going to trial.

Funding for Juvenile Justice Increased FY 2002-FY 2007 and Decreased FY 2007-FY 2014

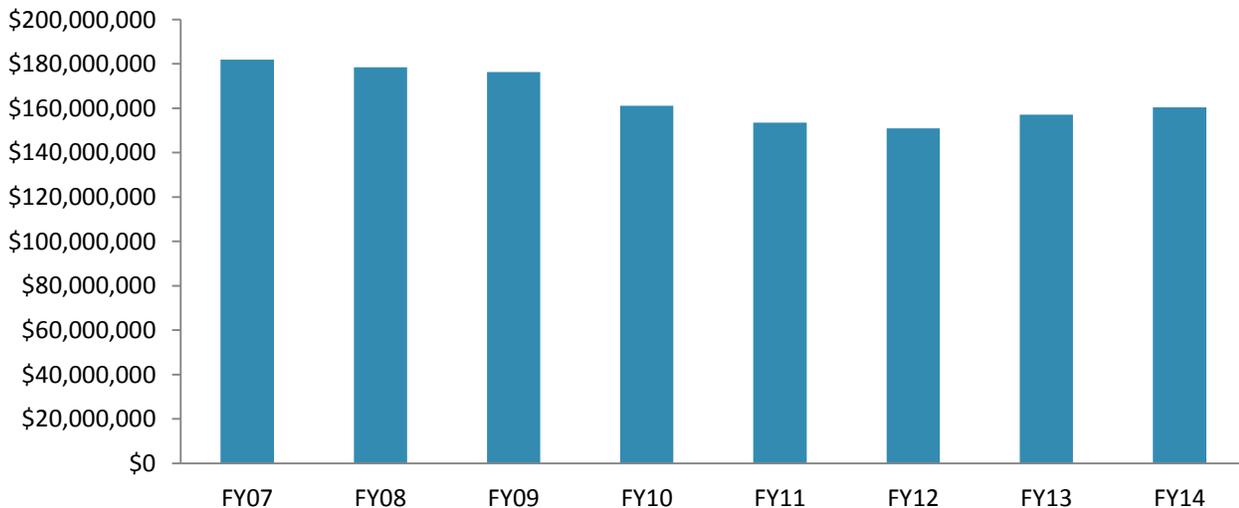
Funding for DYS increased over \$18 million (11 percent) between FY 2002 and FY 2007. A portion of that increase, about \$3 million, came from shifting Teacher Salaries from the Department of Elementary and Secondary Education to the DYS budget. Funding for detention services increased a modest six percent (\$1.3 million) over this time.

Fig. 2:
State Budget for DYS Increased between FY02-FY07



In contrast to the funding trend for DYS between FY 2002 and FY 2007, funding for DYS began to decrease overall (Figure 3) between FY 2007 and FY 2014. Starting in FY 2007, overall funding for DYS fell 12 percent, or just over \$21.5 million.

Fig. 3:
Funding for DYS Decreased FY07-FY14



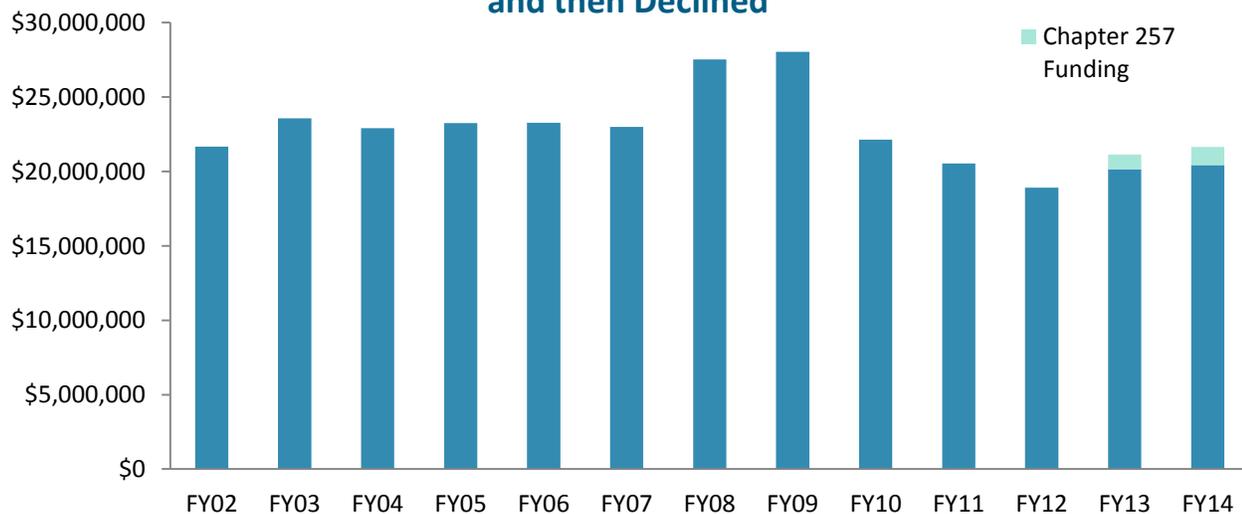
Funding for Detention Services

As Figure 4 shows, funding for detention services between FY 2002 and FY 2007 was mostly flat. In FY 2008, however, funding for detention increased significantly even while the overall DYS budget decreased slightly. In fact, funding for detention received an almost 20 percent increase in FY 2008, while funding for DYS overall went down by about two percent. This focused increase on detention partly resulted as a reaction to a few tragic incidents of youth suicide in detention.⁹ The increased funding level lasted for just two years.

Overall DYS funding was reduced eight percent in the FY 2010 budget as a result of the recession and agency-wide cutbacks. Detention funding received a proportionally larger cut of 21 percent, partly because of the increase it had received two years before.

In FY 2013 funding for detention increased almost 12 percent (\$2.2 million). \$1.0 million of that increase was tied to a standardization of rates required by [Chapter 257 of the acts of 2008](#).¹⁰

Fig. 4:
**State Budget for Detention Services Increased in FY08 and FY09
and then Declined**



Funding for detention in FY 2014, which includes \$1.2 million for Chapter 257 rate increases, is just one-tenth of one percent below its funding level in FY 2002. Apart from the two years of notable increases, funding for detention has not changed significantly over the past decade, and is only now recovering from cuts made during the last deep recession.

During this time, the detention caseload has been steadily decreasing (Figure 1). There are a few reasons for the divergence between the budget and the actual number of youth being detained. The

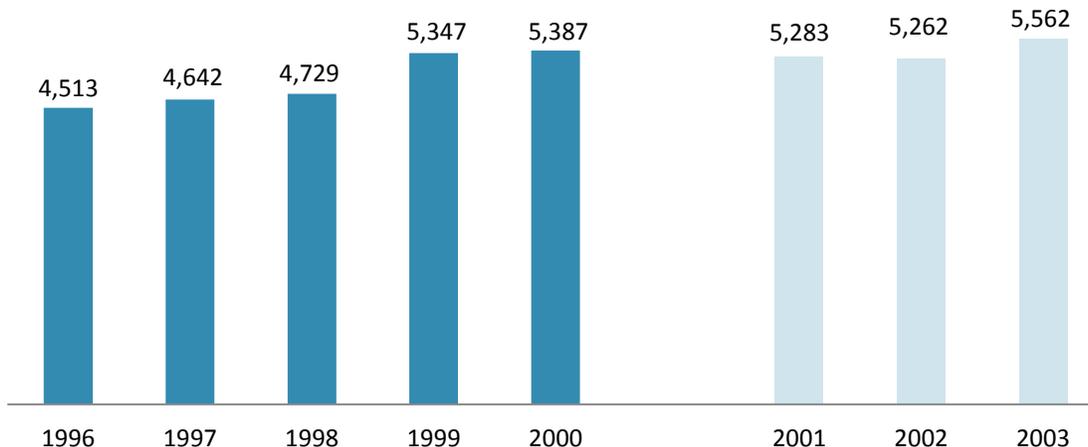
⁹ Source - interview with DYS.

¹⁰ Implementation of Chapter 257, which was delayed for a few years, reset rates for many of the services administered through the Executive Office of Health and Human Services, including many of the programs provided by DYS. More information on Chapter 257 can be found here, <http://www.mass.gov/eohhs/provider/contracting/chap257/>

first is the advent of new programs and services aimed at providing alternatives to secure detention. These programs are less expensive than secure detention, but do add additional costs to the DYS budget in the short term. A second reason is that DYS has been able to make their existing programs safer with better environments for kids. During this period, DYS has seen a drop in incidents of youth assaulting staff and fewer kids in room confinement.¹¹

It is worth noting that in the latter half of the 1990s the number of kids in detention increased significantly while the detention budget decreased. Between FY 1996 and FY 2000 the detention budget decreased seven percent. During this same period the number of kids in detention increased almost 20 percent (Figure 5). By the beginning of the 21st century, DYS was strapped with more kids and less funding putting a strain on the resources available for the kids in the system and on staffing levels. Increases in the detention budget in FY 2001, FY 2002 and FY 2003 reversed the earlier trend (Figure 6), and maintaining this level over the last decade has to some degree allowed DYS to return to equilibrium of funding with safer environments and a healthier continuum of programs and services for the kids they care for.¹²

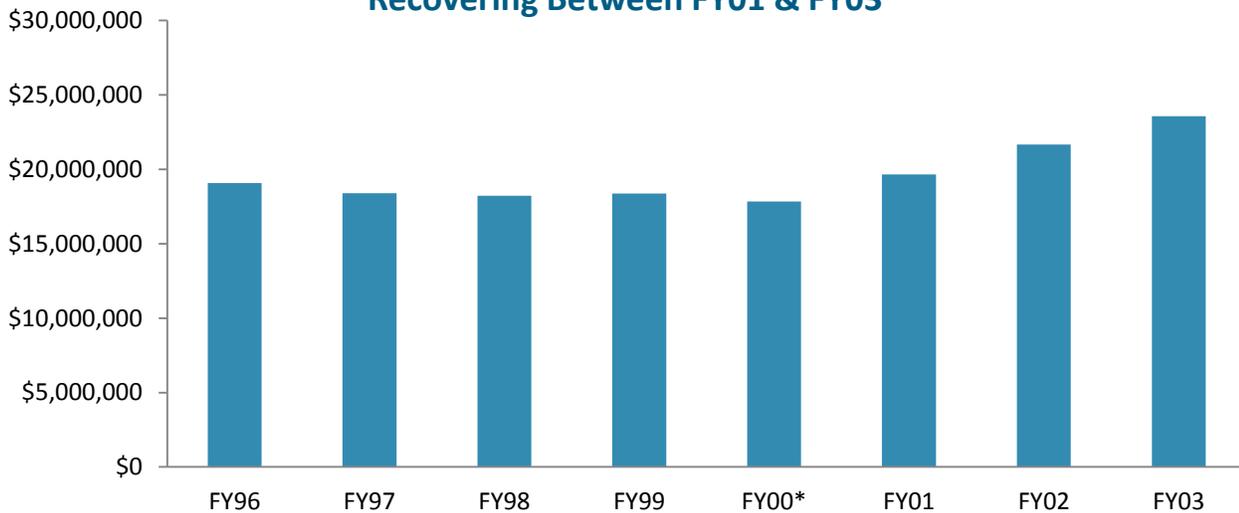
Fig. 5:
Juvenile Detentions Increased 19% between 1996 and 2000



¹¹ Source – interview with DYS. Youth in room confinement are not allowed to leave their rooms.

¹² Source – interview with DYS.

**Fig. 6:
State Budget for Detention Services Down In the 1990s Before
Recovering Between FY01 & FY03**



* FY00 data uses official final expended budget for this fiscal year as significant funding from other line items was transferred into this line item – transfers which are not captured in the official final budget. All other years in this chart use official final budget data.

Lack of Transparency in Funding for Alternatives to Detention

The state budget is an important policy document in and of itself in that it is an expression of the Commonwealth's policy priorities on a wide range of topics. Given the commitment of DYS to continue to develop alternatives to secure detention, and given the documented benefits to kids of alternatives to secure detention, it is unfortunate that the state budget document does not allow for transparency on how much state funding within DYS goes toward supporting these alternatives.

Thus, it is difficult to measure the degree to which current funding supports continued increases in alternative options for kids in detention. There are two line items within the DYS budget tracking funding for kids adjudicated delinquent at the end of their trial. There is one line item funding kids committed to secure facilities, and a separate line item funding non-residential services.

Unlike funding for kids after their trial, there is only one general line item in the state budget encompassing all funding for detention programs – whether secure detention or any of the variety of alternatives within DYS. Therefore it is difficult to assess funding levels for the different programs because funding streams are not separate or transparent.

The legislature could make funding for alternatives to secure detention more transparent in a few different ways. One would separate detention funding into two line items with secure detention in one and alternative programs and services in the other. Two other possibilities could increase transparency without adding another line item. The legislature could require a detailed accounting of spending in the detention line item with details on funding for alternative programs, or the legislature could attach earmarks for specific alternative programs.

Each of these methods has inherent strengths and limitations. Creating another line item could limit DYS's flexibility in moving funding between the different types of programs and services. This could be mitigated by allowing transfers between the two line items. A limitation on the accounting and earmark options is annual dependence on the legislature to include the needed language in the budget. Any of the three though would allow for better understanding of the trends in funding for these two very different types of services.

Costs of Secure Detention and Alternatives

Cost comparisons between secure detention and the alternatives can be quite difficult because the costs vary greatly depending on size and utilization. A secure detention facility with more beds will cost less per youth than a smaller facility.¹³ Similarly, a full or nearly-full facility will cost less per bed than a facility that is half full.¹⁴ Costing out alternatives to secure detention holds similar difficulties when considering utilization. Alternative programs such as the Central Region Reception Center do have fixed costs which include rent, maintenance and staffing costs. However, cost per youth is again dependent on how many kids go through the doors. The center becomes more cost efficient as it receives more kids. Therefore, utilization matters on both sides of a cost comparison between secure detention and the alternatives.

In FY 2010, the average annual cost for one bed in a secure detention facility was approximately \$110,000.¹⁵ The annual cost for one shelter bed in a medium secure placement was only slightly lower at just over \$95,000. An exact comparison to community alternatives (like foster care placements) cannot be completed because some costs are not available. Nevertheless, even with the missing data it is clear that average cost of alternatives is lower than detention in a secure facility. In some cases a foster care placement likely costs over 50 percent less than secure detention.

COMMUNITY PLACEMENTS COST LESS THAN DETENTION IN ANY FACILITY	
DYS Detention Program	Annual cost
High Security	
Secure Detention	\$109,500
Medium Security	
Shelter (Staff Secure)	\$95,338
Low Security	
Foster Care with Community Supervision	\$31,504
Therapeutic Foster Care with Community Supervision	\$57,054
*Welcome Center costs were unavailable and would normally be included in the cost of Low Security options	

Alternatives which divert kids out of detention entirely are even less expensive than community placements within DYS. Kids in DDAP and On Point receive similar services to kids in a DYS foster

¹³ Overhead (rent, maintenance, staffing, etc.) are split into more beds decreasing the expense on each bed.

¹⁴ Overhead is again split into more bed days for a facility that has a higher utilization rate minimizing the expense per bed.

¹⁵ In this analysis we assume that a bed is filled 100 percent of the time. This assumption mitigates the difference between a detention bed which serves multiple youth throughout the year and a bed for youth who have been committed which may only serve 1 or 2 youth per year. The average detention stay is a little over 20 days meaning one detention bed will be used by 17-18 youth per year on average.

care placement, but DDAP and On Point do not pay a foster care rate because kids stay at home.¹⁶ In FY 2013, DDAP provided services to 30 children at a total cost of around \$150,000. This means that it costs DDAP about \$5,000 to provide services to each child, less than the cost of community supervision in DYS.

It is clear that the short term costs of community alternatives – whether foster care through DYS or services at home through other providers – are lower than secure detention. When we add the long term harm secure placements have on kids, we find that there are tremendous long-term cost savings that the state can realize by placing kids in alternative community placements.

Long Term Costs Place Drag on the Economy

Placing the majority of kids arraigned in juvenile court in secure detention is costly. Since many of the kids in detention have only been charged with minor offenses, it is also often unnecessary. (See the [CFJI companion paper](#) for more information about the types of charges against kids in detention.) And the fiscal impact on the state of unnecessary secure detention unfortunately does not end when kids leave detention. The long term harm done to the child's health and education has significant negative effects on that young person's future and on the future of our state economy.

Detention in a secure facility has a negative effect on a child's educational attainment.¹⁷ Kids who are detained in a secure facility are out of their school for an average of three weeks. This disruption can be difficult to overcome and contributes to an increased dropout rate.¹⁸ Many studies have looked at the economic consequences of dropping out of school and find that kids who drop out have trouble maintaining employment and are more likely to go to prison as adults.¹⁹ They also have worse health outcomes, utilize a high degree of public assistance, and pay less in taxes over their life time than kids who do graduate.²⁰ Detaining kids in a secure facility thus has a negative economic impact far into the future. When you combine that with the fact that secure detention is the most expensive option up front, the state has compelling reasons to pursue expansion of community placements in detention (foster care) and alternative programs outside of the detention continuum where kids can receive services while staying at home.

¹⁶ For more information about DDAP programs and services, see The Robert F. Kennedy Children's Action Corps at <http://www.rfkchildren.org/our-work/community-based-services/detention-diversion-advocacy-project-ddap>. For more information about On Point, see The Plummer Home at <http://www.plummerhome.org/onpoint.php>.

¹⁷ Holman, B. & Ziedenberg, J. The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities. Justice Policy Institute; Randi Hjalmarsson, Criminal justice involvement and high school completion, 63 J. URBAN ECON. 613 (2008); Hirschfield, P. (2009). Another Way Out: The Impact of Juvenile Arrests on High School Dropout. Sociology of Education Vol 82 no. 4;

¹⁸ Ibid.

¹⁹ Sum, A. et al. (2009) The consequences of dropping out of high school: joblessness and jailing for high school dropouts and the high cost for taxpayers. Center for Labor Market Studies Publications;

²⁰ Carroll, S. & Erkut, E. (2009). The Benefits to Taxpayers from Increases in Students' Educational Attainment. RAND; Belfield, C. & Levin, H. (2007). The Price we pay: Economic and Social Consequences of Inadequate Education. Brookings Institute; Rouse, C. (2005). The Labor Market Consequences of an Inadequate Education. Princeton University and NBER; Stuit, D & Springer, J. (2010). California's High School Dropouts. The Foundation for Educational Choice.

Important Challenges to Consider

One important note on cost comparisons for programs within DYS is that staffing costs often shift as more kids are diverted. As secure facilities reduce beds or even close altogether, staffing needs decrease, but this decrease is offset by the growth in staffing needs at welcome centers, the increased demand for foster homes, and the increased need to ensure effective outreach and supervision of these young people in the community.

A few other variables must also be considered when looking at costs, potential savings and service delivery. As more kids are diverted, the cost per bed in secure facilities increases. Even though fewer kids are receiving services annually, overhead costs (rent, maintenance, required minimum staffing levels) do not change significantly. Significant cost savings would be realized if facilities are closed. However, the possibility of closing facilities means that the distance families must travel to visit youth will increase. The tradeoff, in other words, will be significantly farther travel times for some families to visit and stay involved with their children.

Alternatives cost less and allow for better outcomes, but some kids, those charged with violent offenses, will still need a secure placement. Making sure these kids are held in a facility close to their own community is a challenge DYS will need to address. What is more, the kids who cannot be diverted from secure detention often have the most challenges and need the most intense services. This will further drive up the cost per bed in secure detention as more kids charged with non-violent minor offenses are diverted.

CONCLUSION

The number of kids detained in Massachusetts has been falling for over a decade. But the majority of kids in detention are still placed in secure facilities. Placing a kid in a secure detention facility prior to trial can have profoundly-negative long term effects.

In 2007, DYS began a Juvenile Detention Alternatives Initiative to provide more alternative placements for kids, and to reduce the number of kids placed in secure detention. Since that time, JDAI programs have been piloted all over the state successfully placing kids in alternatives to secure detention. Of the kids placed in community based foster care settings, over 99 percent successfully returned for trial without getting into further trouble during their placement.

Research shows that community placements are better for kids. Unfortunately, JDAI implementation has been uneven. None of the regions currently offer a full continuum of detention options, which forces DYS to place even low-risk kids in secure detention. Moreover, programs that provide alternatives to DYS detention entirely are also not offered throughout the state.

The number of alternative placements continues to increase, albeit slowly. As these innovative programs expand, DYS needs to evaluate them thoroughly so best practices can be shared across regions, and programs that are not working can be retooled or replaced. What is most needed in the Western Region might be slightly different than what is most needed in the Metro Region. Continued evaluation of programs would allow DYS to meet the needs of each region.

Thorough evaluation should also help DYS to develop a roadmap for expanding the availability of community placements throughout the state. And working with judges, district attorneys, probation and others, DYS should consider expanding those options which keep kids out of DYS detention altogether. Programs such as DDAP, On Point and C4RJ are better for kids in the long term and less expensive for the state in both the short term and long term.

Increased budget transparency would make it easier for the public to measure the state's commitment to keeping kids in the community. This could be accomplished a few different ways. The legislature could split detention funding from the current line item into two separate line items - one for secure detention, and a separate line item for alternatives to secure detention. This would make it easier to track funding for alternatives, but, at the same time, would reduce the flexibility DYS has to shift funding between programs in the two line items. Some of this flexibility could be restored by including budget language allowing funding to be shifted between the line items.

The legislature could enhance transparency while maintaining just one line item for detention either by including earmarks for alternatives or by requiring a detailed accounting of the line item. Placing earmarks in the line item would have the similar effect of reducing the flexibility DYS has to shift funding. Requiring a detailed accounting would not limit DYS's flexibility, but budget language would have to be included to ensure a detailed accounting is produced. Any of these methods would increase transparency and allow the public to more closely follow the state's commitment to community based alternatives to secure detention.

Tremendous progress has been made in the past few years increasing the number of shelter and foster care beds available to youth in detention. There is increasing evidence that these programs are better for kids in the short run, better for kids in the long run, and less expensive. By documenting and increasing funding for these alternatives to secure detention, the Commonwealth will be able to have a direct and powerful impact on the lives of kids in the juvenile justice system.