COVID-19: JUVENILE JUSTICE RESPONSES

NCSL CRIMINAL JUSTICE PROGRAM
VIRTUAL MEETING SERIES
MAY 13, 2020
GOALS

- Update about COVID-related challenges in JJ across the country and some models of response
- Highlight key issues to consider
- Identify opportunities
  - Short term – oversight
  - Longer term – policy
Juvenile incarceration generally fails to reduce recidivism and, in some cases, can be counterproductive.

Youth who had little history of offending more likely to reoffend after an institutional stay.

No consistent relationship between time in confinement and rates of reoffending.
Longer Stays Do Not Yield Consistent Reductions in Juvenile Recidivism

Rearrest rates in 2 counties remained steady for offenders with longer placements

Note: Study evaluated serious adolescent offenders in Maricopa County, Arizona, and Philadelphia County, Pennsylvania.


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- Governors’ guidance – ex: California, Michigan
- State Supreme Court orders – ex: Maryland, Massachusetts
- States vary from no placement releases to proactive – Mississippi released 50%; Illinois 30%
- 24% decline in local secure detention populations
AREAS OF POSSIBLE IMPACT

- Reduced admissions, increased releases, temporary home passes (furloughs)
- Adequate funding for re-entry practices and services
- Facility conditions:
  - health and sanitation precautions
  - trauma-informed and relevant programming
  - increased/unlimited connection with families and other supports
  - avoid use of solitary

Photo Credit: Richard Ross
AREAS OF POSSIBLE IMPACT

- Adjust probation conditions for pandemic
  - fines and fees, warrants, revocations
  - safe methods for keeping in touch with probation staff
  - opportunities for exercise if on electronic monitoring
- Attention to racial/ethnic and other disparities
STEPS TAKEN TO LIMIT POPULATION IN DETENTION IN CLAYTON COUNTY

- Issued Order on Court Operations During Statewide Judicial Emergency that modified admissions criteria to prohibit the detention of youth alleged to have committed non-violent offenses;
- Created team to assess the current population of detained youth using the modified detention criteria and recommend releases on alternative detention programs;
- Created weekly status conferences with youth that remained detained to assess their propensity for violent conduct and to reassure them that we continue to review their status (Also included in status conferences are the parents, public defender, and prosecutor);
- Continued our multi-disciplinary team using ZOOM conferencing to assess youth admitted to detention on violent offenses and recommend if they may be released at the preliminary hearing on appropriate alternatives; and
- Continued hearing remotely arraignments and dispositions (and adjudications of detained youth provided they consent to a limited waiver with advice of counsel to confront their accusers via video.)
YOUTH IN DETENTION DURING COVID-19 CRISIS: 95 PERCENT DECLINE IN POPULATION
The mission of the Department of Juvenile Justice is to promote community safety and positive youth outcomes by building youth skills and strengthening families.

Current objectives include focusing on positive youth development, increasing family engagement, investing in community partnerships and improving practices with performance driven management.
COVID-19 RESPONSES

- **Operational Changes**
  - Cleaning, screening and social distancing protocols
  - Remote work protocols

- **Load Management**
  - Staff rotations; reduced traffic
  - Population and intake management

- **Equipment and Supplies**
  - PPE; cleaning and sanitation supplies; medical equipment

- **Communications**
  - Daily Briefings, staff and GO communications
  - Family and provider communications
  - Labor communications
COVID-19 EXPENSES

- **PPE, Medical Supplies**
  - Unforeseen expenses such as masks, gowns, gloves, thermometers and tests

- **Cleaning supplies and Deep Cleaning**
  - Contracts with ServePro for deep cleaning
  - Additional Supplies for cleaning and sanitation

- **Personnel**
  - Overtime – related to continued operations
  - Pay increase for AFSCME employees during COVID-19

- **Technology**
  - No increase in request; but clear need for technology to operate remotely
AREAS OF INQUIRY FOR STATE LEADERS

- Availability of alternatives to confinement
- Timeliness of remote hearings; protections of access to counsel, due process and confidentiality
- Collaboration between JJ agency, judges/parole boards (or under own release authority) to release youth where safe to do so
- Reviews of adult-charged youth
- Community-based supports for re-entry
AREAS OF INQUIRY FOR STATE LEADERS

- Opportunities to reduce barriers to release, such as suspending prior notice
- In facilities: education credit; meaningful programming; access to and communication with families; soap, masks, distancing measures; avoiding isolation; safety plans
- Reconsideration of fines and fees; families’ ability to pay
- Treatment of probation/aftercare violations; opportunities for early termination
- Equitable opportunity for release, services, care
- What changes will we keep? What changes still need to be made?
FEDERAL FUNDING

- Runaway and Homeless Youth Act – Basic Center Program grants deadline July 3; Street Outreach Program June 29
- Coronavirus Emergency Supplemental Funding Program Closes May 29
- JJDPA title II funds – importance of filling State Advisory Group positions
RESOURCES

- NCSL: Principles of Effective Juvenile Justice Policy

- Pew: Re-Examining Juvenile Incarceration
THANK YOU!