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## How communities are keeping kids out of crime



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Cities and states are moving away from locking up juvenile offenders, offering treatment and other programs to prevent them from becoming hardened criminals.

By [Stacy Teicher Khadaroo, Staff Writer](#) February 15, 2015



Treyvon (l.), who stole a bicycle, participates in a juvenile offender support program with help from his mother, Twyla (r.), at their home in Toledo, Ohio. ✕

Melanie Stetson Freeman/The Christian Science MonitorView Caption

*\*Editor's note: Check out a special [Facebook chat right now](#) with reporter Stacy Teicher Khadaroo on new alternatives to jail time for juvenile offenders.*

TOLEDO, OHIO – Treyvon says he just wanted to get home quickly after boxing practice one day last summer, to babysit his three younger sisters and a 2-year-old brother. “My cousin had come up with the idea of robbing someone for their bike, so we did that,” says Treyvon, who is 16. “I pointed a gun at him.”

A week earlier, some local teens had stolen Treyvon’s bicycle when he was running an errand for his mother. They were never caught. But Treyvon was. Police arrested him and his cousin while they were riding the stolen bikes the next morning.

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Seeing the charge of aggravated robbery involving a gun, a judge at the [Lucas County, Ohio](#), juvenile court held him in pretrial detention for two weeks. Then she found out what weapon he had pulled: a BB gun. Over the next few weeks, while he remained locked up, she learned that Treyvon had a number of characteristics that took him out of the category of high risk for reoffending – a stable home life, his involvement in football and basketball, and a lack of gang involvement. So the judge let him live at home while on probation and take part in a local program that offers mentoring and other social services.

The court’s approach “gives them a second chance to realize the seriousness of the offense and learn from it,” says Treyvon’s mother, Twyla, who works three nursing jobs to provide for her family.

Treyvon's case is emblematic of a quiet revolution in juvenile justice sweeping across the country. Driven by the high cost of incarceration and a growing understanding of adolescent behaviors, states and localities are launching initiatives to provide counseling, drug treatment, and other support for young offenders rather than locking them up. The idea is to save money – and try to keep them from committing more crimes by addressing their problems at the roots.

Lucas County, which includes Toledo, is one of the leaders in this movement. Juvenile Court officials here do the “my kid” test with every case. They want to ensure all young people are being treated fairly, and they live by the mantra “The right kid in the right place at the right time” – targeting services to their needs and taking care not to mix children who are unlikely to commit more crimes with high-risk youths.

But they also rely on research instead of just gut instinct. When it comes to deciding whether to lock up arrested youths – while awaiting a hearing or even after they've been judged to have done something wrong – they use standardized risk assessments.

As alternatives to lockup, they've built a “continuum of care” – various treatment options and levels of court monitoring – so most children can stay connected to family members, school staff, and community groups while reforming their ways.

Not everyone agrees with the softer approach to juvenile justice. Some prosecutors, for instance, worry public safety is being compromised. But advocates for reducing incarceration see safety through a different lens.

“The key thing is, are you going for short-term safety, or are you going for long-term?” says Deborah Hodges, Lucas County Juvenile Court administrator. “You can send a kid away to juvenile prison for six months or a year, but guess what, he's coming back. And if you've increased his criminality ... then you've increased the risk to the community.”

• • •

For decades, many states and localities handled adolescents with the same old-school approach they used for adults: Lock 'em up so they can learn a lesson – even for minor offenses. Some still do. But as more places adopt the ethos found in Lucas County, the number of incarcerated children has been declining dramatically.

On an average day in 2011, about 61,000 children were locked up in the [United States](#) – either for pretrial detention or because they had been committed to a residential facility. That number was down 41 percent from 2001, reports the Justice Policy Institute in Washington, which backs reduced incarceration.

During that decade, the youth crime rate fell by 31 percent, while the rate of youth incarceration fell even more – 46 percent – JPI reports.

Some of the reductions have been driven by cost-benefit calculations. The American Correctional Association estimates that states spend an average of \$241 per day to incarcerate a young person. But social service agencies can provide “wraparound” services to manage that same person in the community for about \$75 a day, estimates Youth Advocate Programs Inc. (YAP), which offers such services in 17 states.

The shift away from incarceration also reflects a growing understanding of young people and their capacity for change. In 2005, the US Supreme Court ruled it



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unconstitutional to execute someone for a crime committed before they were 18. Later it banned mandatory life sentences without parole for juvenile non-homicide crimes, and in 2012 it extended that ban to homicides.

Still, for many of the kids who are locked up, the experience poses more risk to them than the risk they pose to the community, advocates for deincarceration say. One in 10 confined youths surveyed said he or she had been sexually abused by staff or other youth, and 42 percent feared physical attack, according to a 2011 report by The [Annie E. Casey Foundation](#), a leading voice for community alternatives.

“Kids are not mini-adults.... Our interventions have to be meaningful for the kids, and we have to meet the families where they are,” says Administrative Judge Denise Navarre Cubbon, who has overseen the Lucas County Juvenile Court since 2007.

• • •

Tucked into the corner of his living room couch, Treyvon listens as his mother and several other people review his progress toward keeping up his grades and finding a job so he can pay restitution to the person he robbed. The group includes a probation officer, YAP assistant director Don Jackson, and an advocate assigned to Treyvon. (The full names of all the children in this piece have been withheld to maintain their privacy.)

“The person they are matched with is key,” says YAP’s local director, Sherri Munn. The advocate is often from the child’s neighborhood or has faced similar struggles. The kids “respond better when they feel heard,” she says.

That kind of trusting relationship is evident as the advocate in this case, Randy Williams, coaxes smiles out of Treyvon throughout the meeting.

“When you are around positive people you’ll continue to see yourself growing and reaching goals like you been doing, and all this will be behind you,” Mr. Jackson tells Treyvon.

Spending nearly 30 days in local detention awaiting various hearings was enough to convince Treyvon he never wants to be arrested again. “I hated it. I was just sad and depressed,” he says.

As bad as it was, it could have been far worse. Before Lucas County started developing alternatives to detention about 15 years ago, Treyvon could have been sent 120 miles away to a state juvenile prison.

When the person Treyvon stole the bike from read a statement in court, “it brought tears to [Treyvon’s] eyes,” Twyla says. “That’s when he realized that he did something to somebody that [had] just happened to him. That’s when it kind of really got to him.”

He’s paid \$10 in restitution so far and plans to get a fast-food job to pay back the remaining \$271. “I keep reminding him that that’s something he has to make amends with,” probation officer Marcus Kelly says.

Since being put on probation and becoming friends with Mr. Williams, Treyvon says, “I think twice on my decisions.... I got a whole nother set of way better friends than I had at first. And I’m taking life more seriously than I used to.” He hopes to eventually study engineering and play sports in college.

It takes a while to build up a sense of trust. Williams recalls that when they first met, he asked Treyvon where he wanted to eat: “First time he said, ‘Nowhere.’ The second time ... he said, ‘I’ll take a pizza.’ Then I started coming to his [sports] practices and he said, OK, he’s really interested in me.”

In addition to spending time with Treyvon, Williams visits the family weekly and checks in regularly with schoolteachers, coaches, and Mr. Kelly. “It’s solely based on the needs of Treyvon and his family,” Jackson says. “We believe in the wraparound system.... We try to involve everybody.”

In a national YAP study of 3,523 young people ages 11 to 18, 86 percent remained arrest-free while in the program and 93 percent continued living at home, evaluators at the John Jay College of Criminal Justice found.

It shows that with tailored support “kids can succeed and live safely at home ... [despite the] triggers and environmental factors that make them vulnerable to out-of-home placements,” says Shaena Fazal, national policy director in YAP’s Washington office.

• • •

In the 1990s, a rise in juvenile crime – and the 24-hour news cycle that publicized heinous crimes – led to a “big fear that kids were superpredators and all out to get us,” says Michele Deitch, a juvenile justice expert at the [University of Texas at Austin](#). The number and size of secure detention facilities grew as get-tough-on-crime officials sought to apply adult punishments to teenagers. But the big crime wave “never materialized,” says Ms. Deitch.

Juvenile detention centers – where kids stay mostly before their hearings – became crowded with a mix of kids, some for minor crimes or “status offenses” such as truancy. Sometimes they languished there because lawyers asked for continuances or the system lost track of them.

Ms. Hodges, the Lucas County Juvenile Court administrator, pulls out a random daily “pop sheet” from 1995, showing a population of 109 kids in the former detention facility a few blocks away that had been built for 75. “The rest of these kids were sleeping on the floor on mats,” she says, pointing out the window at the facility from the current court and detention center, a cinnamon-brown building that opened in 2000.

She reads more from the pop sheet: “runaways, unrulies, felonious assault, petty theft.... And then you get down here: murder, murder.... All these kids were mixed together. What we started to learn with all the research about juveniles was, you can’t mix kids.”

As the chief probation officer at the time, she started meeting with judges, the director of detention, and other officials every Tuesday, and they discovered that some children were detained too long while waiting for placements in treatment programs. “It was like, holy cow, we need to develop alternatives,” Hodges says.

They set up various levels of community detention with the help of the East Toledo Family Center, ranging from mandatory attendance at counseling and treatment programs, to house arrest and electronic monitoring.

Over the years, they’ve also enhanced their programs or created new ones, both in the community and in their locked facilities. In addition to YAP mentoring, they offer drug and alcohol treatment, mental health partnerships, interventions for family violence, transitional housing, and even sex offender treatment specific to adolescents. The programs here and across the country are having an effect. The Casey Foundation’s Juvenile Detention Alternatives Initiative, which has put strategies in place in hundreds of counties in 39 states, reports that as of 2011 the sites that had reported their data had lowered their average daily detention by about 43 percent. At the same time, 93 percent of those sites showed improvements on public safety outcomes, the foundation reports.

Here in Lucas County, the average daily population in detention was 67 in 2009. By 2013 it was down to 37, and on the day this reporter visited in January, 23 youths were in the detention center. In fiscal year 2009, the county sent 76 kids to the Ohio Department of Youth Services for lockup. By 2014 that was down to 17.

Court officials point to various indicators of public safety: The number of felony charges against juveniles has dropped 50 percent since 1999, to 632 in 2014. Misdemeanors are down even more. And more kids are showing up at court for their hearings.

But there has been an increase in the rearrest/technical violation rate for youths in community detention, from 19.6 percent in 2009 to 24 percent in 2013. Part of the explanation for that uptick, court officials say, is that juveniles charged with more-serious offenses have been placed in community detention.

That’s one reason Lucas County’s shift has received some pushback from local prosecutors. “First we decided everyone should be in jail. Then we decided everyone should be out of jail,” says Lori Olender, deputy chief of the juvenile division of the Lucas County Prosecutor’s Office. “We have kids who constantly are committing what I think are felonies that show they are not getting any better, and we just keep putting them in community-based programs.”

In about 5 percent of cases she disagrees with the court’s use of alternatives. She cites the example of a young man who committed a felony, and instead of being locked up was allowed to participate in the Community Treatment Center, which involves reporting for programming six days a week plus a strict curfew.

He “committed two more felonies while in CTC, and then they were recommending again that the youth go to CTC,” Ms. Olender says. But she persuaded them that he should be sent instead to the Youth Treatment Center, a secure facility a few blocks from the court.

For most youths, researchers have found that locking them up is not the most effective way to steer them onto a better path, because kids don’t learn well from punishment. But there’s “more debate on kids with more-serious offenses,” says Deitch of UT Austin.

Judge Cubbon and her team say they constantly analyze data to see if they are on the right track – trying to balance what works for the kids with public safety.

Lucas County relies more heavily on evidenced-based programming than many of its counterparts. Around the country, only about 10 to 15 percent of kids in the juvenile justice system receive such programming, says Edward Mulvey, a professor of psychiatry at the University of Pittsburgh School of Medicine and the principal investigator of a major study of young offenders. “We need more research about whether we’re really meeting [kids’] needs,” he says

• • •

For all the complications of young offenders’ lives, sometimes the decision about what they need on a given day just comes down to putting on a Judge Mom hat. Or at least it does for Cubbon.

On this day, perched behind a high bench in her black robe, she looks across the courtroom at a young man who has been in and out of locked facilities for the past two years and is currently participating in a reentry program. During the review hearing, which is positive overall, a school liaison mentions that the boy recently was sent home from school because he was wearing red pants, which violates a ban on gang colors. He had insisted to school officials that the pants were burgundy.

“Seriously?” Cubbon interjects. “Burgundy and red? Seriously?” A few minutes later she returns to the topic, asking him to stand: “So what’s the deal with the colors?”

Before he answers she shifts her line of questioning to his mother. “If you took all his red clothes away from him, how many clothes would he have left?” His mom ticks through a few items and Cubbon says, “Why don’t you take his red clothes away from him.” The mother responds: “I’ll take them away today.”

“Then you have no temptation,” Cubbon says, before wrapping up the hearing by pleading with him to try to stay in school.

Back in her office, Cubbon, a former prosecutor, says that most kids never get in trouble more than once, but 8 to 10 percent of them “we see often, and those are the kids and the families that have the significant needs.”

“If we can pull it off, that kid would be so successful,” she says referring to the young offender who had just been in court. “He could be a good salesman.”

Cubbon “is so about kids,” says YAP’s Ms. Munn. This court “is very big on being creative and trying things that some other counties wouldn’t dare try.”

One innovation borrowed from Portland, Ore., is the new Lucas County Youth Assessment Center – a place where police can bring kids directly to determine what should be done with them. Before this small suite opened on the main floor of the court building in October 2013, everyone arrested had to go through detention intake, where they’d be booked and screened to assess if they should be detained or released with a hearing date.

Police expressed frustration that kids who were released might have to wait too long for services. Now they can go straight to the assessment center and be referred to programs if they are brought in for minor offenses such as property damage or unruliness.

One 16-year-old girl, for instance, was found outside on a 22-degree day with no shoes on. When police took her home she screamed at her father. Police brought her to the center, where staff did a quick assessment and eventually transported her to children’s services after her father refused to pick her up. In other cases, youths who violate school safety rules can be processed at the center and given help rather than landing in detention.

“The old way it was done,... if you looked at someone funny, you could go to detention,” says the center’s director, Jim Sworden. “It’s those situations that people have difficulty managing in the community or in the home, and they look at, well, let’s have him arrested, it’s the easy thing to do.”

The center could end up helping with one other thrust of Lucas County reform efforts – making the juvenile justice system more equitable for minorities. Overall, the county’s population is about 22 percent people of color, but they made up 71 percent of all those admitted into secure juvenile detention in 2013. The disparity largely mirrors the different arrest rates for whites and minorities.

The county has made some progress. The average detention population went down 45 percent from 2009 to 2013, but for youth of color it went down 64 percent. To help solve the inequity problem, one team from the court has started to work with schools to try to reduce school-based arrests, which, many critics say, create a “pipeline” to prison, mainly for minorities.

• • •

Like Lucas County, the state of Ohio has moved away from incarcerating so many youths. It is shifting resources to community programs and local secure lockups where kids can stay connected to treatment and their families. The number of youths incarcerated by the state Department of Youth Services dropped from a high of more than 2,600 in 1992 to less than 500 today.

Michael is one of those who could have been sent to DYS after attempting to shoot a rival gang member. Instead, he was charged with discharge of a firearm and got a second chance to work with staff at the local secure Youth Treatment Center in Lucas County.

His first time there (after getting caught with a gun in his car at 15), “I just wanted to get out. So I was telling them what they wanted to hear – faking it to make it,” he says.

The second time, the judge emphasized that if he had been an adult, he could have been sent to prison for 10 years. Michael will turn 18 around the time he’s due to get out in May. Now he’s eager to learn the decisionmaking skills the staff here are teaching him.

“If they would have sent me to DYS, I’m just going to be basically plotting in my head what I’m going to do when I got out.... I’m just going to be around people that’s still bangin’ and stuff.... But [here] I got a chance to change ... to show that people can make it out of the inner city,” he says.

He’s sitting in his group’s common area at the center. At night, he’s locked up alone in a tiny concrete room. On a nearby handwritten poster, someone has enumerated a dozen “Thinking Errors,” including “seeing self as a victim” and “failure to care 4 others.”

His mom visits a couple times a week. Michael likes school and competitive sports, but he says he has a double life, and the other one has involved fighting with neighborhood gangs since he was a little kid following his older brother around. Most of his father’s side of the family is in prison. “It’s up to me.... I got potential to do stuff, to make it in life,” he says.

If cases like Michael’s become routine, however, and the center becomes known as a place where kids get a lot of chances, prosecutor Olender worries that the threat of sending kids to DYS might no longer be a credible deterrent. “At some point, graduated sanctions are important. Any criminal is not going to understand if you just keep doing the same thing to them each time,” she says.

For Youth Treatment Center administrator Tara Hobbs, who works with many gang-affiliated youths, offering second chances is important.

“They’ve unfortunately made choices that harmed others, but that doesn’t take away that they deserve to be helped, too, and healed.”

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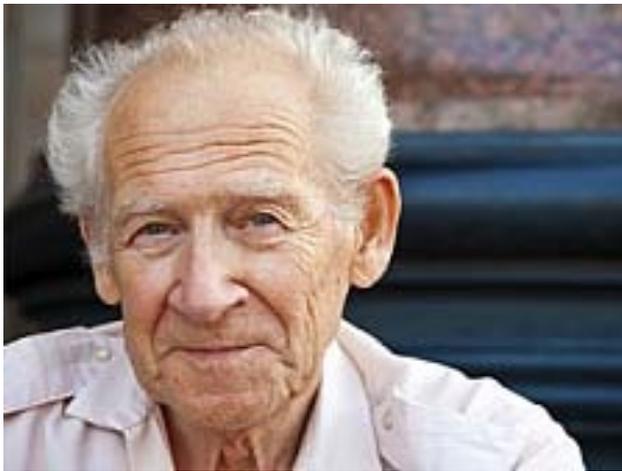
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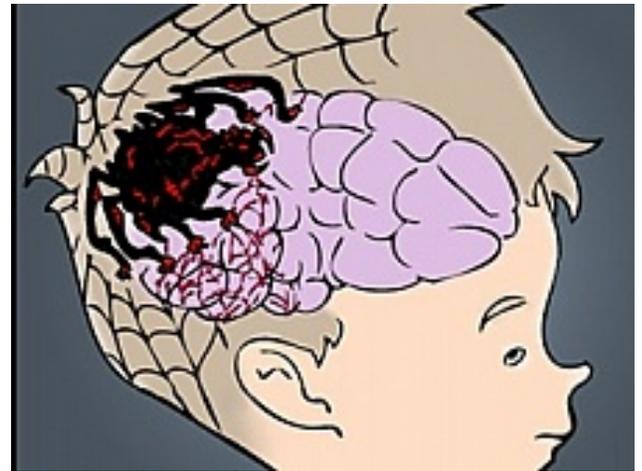
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