



## Juvenile Justice Funding Facing Cuts

By Debrah Stafford  
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### Calendar of Events

Events relating to helping children are available at: [www.tn.gov/tccy/webcalen.pdf](http://www.tn.gov/tccy/webcalen.pdf).

### TCCY

For more information on the Tennessee Commission on Children and Youth and its programs, check out the website at [www.tn.gov/tccy](http://www.tn.gov/tccy).

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Since its passage in 1974, funding from the Federal Juvenile Justice and Delinquency Prevention Act (JJDPA) has transformed Tennessee's juvenile justice system. In order to receive the federal funds on an ongoing basis, each state must comply with the four core requirements of the Act:

1. Deinstitutionalize Status Offenders,
2. Remove Children from Adult Jails,
3. Separate Children from Adult Offenders, and
4. Address the Disproportionate Number of Minority Children in the Juvenile Justice System.

Advocacy funded by JJDPA dollars resulted in legislation prohibiting placement of children in adult jails and establishing a state reimbursement account to assist rural counties in paying for alternatives to adult jails. Legislation has also modernized the way status offenders (unruly children in Tennessee) are handled. Advocacy also resulted in establishing the State Supplement Grants for improving juvenile court services that currently provide \$9,000 for each county and resulted in the number of courts with juvenile court staff increasing from around half to virtually all.

Early juvenile justice reforms in Tennessee funded through the federal funds included the establishment of what became the Department of Children's Services group homes at a time when group homes were the alternative of choice to institutions. As research has demonstrated treating children in their own homes and communities whenever possible is more effective, the emphasis has moved



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away from residential placements.

## Historical Federal Funding Chart In Millions

JJDPA dollars have made major contributions to the provision of training for juvenile court judges and staff, development and support for youth courts in counties across the state and the implementation of a myriad of local solutions to prevent and intervene in delinquency. These funds have supported printing and distributing the *Tennessee Compilation of Selected Laws on Children, Youth and Families*, with the updated

Federal Funding Source	FY02	FY03	FY06	FY08	FY09	FY11	Reduction 2002 to Now
JJDPA Title II	\$88.8	\$83.3	\$79.2	\$74.3	\$75	\$62.3	\$-30
JJDPA Title V	\$94.3	\$46.1	\$64.4	\$61.1	\$62	\$54	\$-43
JABG	\$249.5	\$188.8	\$49.5	\$51.7	\$55	\$45.7	\$-82

edition eagerly awaited each year by juvenile court judges and staff, attorneys and other stakeholders. The School House Adjustment Program Enterprise (SHAPE) funded in Memphis and described in a separate article in this newsletter has made major contributions in reducing the unnecessary referral of children from Memphis City Schools to the Shelby County Juvenile Court. JJDPA dollars have also supported the state and local Disproportionate Minority Contact (DMC) Task Forces and other efforts to address DMC, and the Council on Children’s Mental Health to help transform the children’s mental health system in Tennessee.

Now due to substantial reductions in federal funding for the JJDPA, Tennessee faces a major reduction in or elimination of funding for important efforts to improve the juvenile justice system in the state. The federal juvenile justice block grant funds, including Title II – Federal Formula, Title V – Delinquency Prevention, Enforcing Underage Drinking Laws (EUDL) and Juvenile Accountability Block Grant (JABG), have been drastically reduced over the past 10 years. Unfortunately, 2012 does not promise to be any brighter for juvenile justice programs in Tennessee. Title II – Federal Formula Grants were reduced from over \$1.4 million to less than \$800,000 in 2011 and will be reduced by an additional 45 percent for FY 2012. Title V – Delinquency Prevention grants have decreased from over \$700,000 in 2001 to approximately \$35,000 in 2011 and have been eliminated in 2012. The Enforcing Underage Drinking Laws grant has also not fared well with the likelihood of being eliminated in 2012. Likewise, Juvenile Accountability Block Grant funds allocated to Tennessee were reduced by approximately 84 percent over the past 10 years (\$4 million in 2001 to \$700,000 in 2011) and will be reduced by an additional 33 percent for FY 2012.

Historically, the Tennessee Commission on Children and Youth has awarded grants to rural and urban counties to assist local communities in expanding intensive probation services, enhancing residential observation and assessment services, instituting intensive aftercare services and establishing after school and summer programs for youth. Additionally, more counseling services, mentoring and tutoring initiatives, mental health programs and training for judges and magistrates were implemented to enhance outcomes for children and families.

The availability of federal juvenile justice funds has not only contributed to improved results for youth. At the same time in Tennessee, juvenile offense referrals for crimes such as homicide, robbery, aggravated assault, rape, larceny, and burglary were reduced by over 21 percent from 2000 to 2010, according to the 2010 *Annual*

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on Children and Youth**

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*Juvenile Court Statistical Report of the Tennessee Council of Juvenile and Family Court Judges.*

Regrettably, the “future funding” picture for juvenile prevention and intervention programs that have proved effective in helping to reduce juvenile delinquency in Tennessee looks bleak. Likewise, this prevents TCCY from awarding programs at the projected levels of funding anticipated when current awards were made in 2011. These cuts to Tennessee’s federal funds come at a very difficult economic time when all agencies and organizations are experiencing overwhelming challenges with staff reductions and budget shortfalls.

At the national level, there are concerted efforts ongoing to restore federal support for juvenile justice programs. The ACT 4 Juvenile Justice, a campaign of the Juvenile Justice & Delinquency Prevention Coalition, the collective voice of more than 380 organizations nationwide, sponsored a White House Call-in day for juvenile justice on January 5. The sample script for the message to the White House follows on the next page.

While it is now past the day designated for calling the White House, you can still call the White House line at 202-456-1111 and leave a message on this or any other issue. You might also consider contacting your Congressman and Senators Alexander and Corker regarding the devastating effects these cuts have on vital Tennessee programs. Restoration of funding in the next federal fiscal year will help Tennessee continue to improve the juvenile justice system and to better serve the children and families it touches and better provide for community safety.

Whatever happens with federal funding, the Tennessee Commission on Children and Youth will continue to press forward in its mission to advocate for the improvement of the quality of life for children and families. We will maintain our vision that all children in Tennessee have the opportunity to achieve their fullest potential and are safe, healthy, educated, nurtured and supported, and engaged in activities that help them succeed in school and become good parents and productive adults. 



**TCCY Juvenile Justice Division staff, Ron King, Zanira Whitfield, Dominick Grimaldi, Vicki Taylor, Debrah Stafford, Phil McKenzie (recently transferred to CPORT), Diane Baham and Gerald Papica.**

# Juvenile Detention Alternatives Initiative Comes to Tennessee

By Debrah Stafford  
Director, TCCY Juvenile Justice Division

Juvenile Detention Alternatives Initiative (JDAI) is not a new concept. The Annie E. Casey Foundation (AECF) has been working for over a decade developing this idea, which is designed to “safely reduce reliance on secure detention for youth charged with delinquency” (*State-Level Detention Reform: A Practice Guide for State Advisory Groups*). The Casey Foundation formed a partnership with the Coalition for Juvenile Justice (CJJ) to assist State Advisory Groups (SAGs), including TCCY, in achieving their goals to comply with the core requirements of the Juvenile Justice and Delinquency Prevention Act (JJDP) of 1974 and its amendments. The JDAI process helps to actualize long-term savings attributed to the use of alternatives to detention facilities, resulting in better uses of public funds. Likewise, JDAI addresses minority overrepresentation in the juvenile justice system and helps to improve services implemented by juvenile court, generating better results for children, youth and families. Because of this collaboration, states have found that JDAI is simply “the right thing to do.”

The Tennessee Commission on Children and Youth (TCCY) has advocated for alternatives to detention from the early days of the Casey Foundation spearheading the concept. Over the years, the Commission has invited Bart Lubow, Gail Mumford and Raquel Mariscal, AECF representatives, to present information about JDAI to members of the state legislature, juvenile court judges, court staff and community leaders across Tennessee.

These efforts have recently resulted in the Casey Foundation awarding TCCY \$75,000 to coordinate JDAI efforts in Tennessee. These funds will be used for community meetings and for representatives of local JDAI

Continued on Page 5.

## Sample Call to Support Juvenile Justice Funding Script

Hello, my name is \_\_\_\_\_. I am a registered voter (say “future registered voter” if you are under the age of 18), and I live in \_\_\_City/State\_\_\_.

**I am calling to urge the President to include no less than \$175 million for juvenile justice programs in his FY 2013 Budget Request:**

- **\$80 million for Title II of the JJJDPA,**
- **\$65 million for Title V of the JJJDPA, and**
- **\$30 million for JABG.**

\$175 million is not a lot of money, but it goes a long way in our community. These funds keep youth in my community positively engaged and out of trouble. These federal funds also ensure that youth who are locked up are safe, and that they get the treatment and support to turn their lives around.

Budget cuts should not be made at the expense of vulnerable youth and community safety. I want my tax dollars to support programs that increase safety in my community, and that help young people in my community achieve success.

Please tell President Obama to include no less than \$175 million for Title II, Title V and JABG in his FY 2013 Budget Request.

Thank you.

sites to receive technical assistance, visit other JDAI sites across the country and participate in national JDAI meetings.

In 2005, the Tennessee General Assembly required TCCY to collaborate with representatives from juvenile court, service providers, Department of Children's Services (DCS) and other community stakeholders to develop a detention assessment tool that would assist juvenile courts in screening youth to determine whether placement in detention was necessary and/or appropriate. Representatives of the Memphis/Shelby County juvenile court were active participants in this process. Memphis/Shelby County Juvenile Court Judge Curtis Person; Larry Scroggs, chief administrative officer; and Rick Powell, Detention Services Bureau administrator, have worked tirelessly to improve juvenile court services and outcomes for children. With their support, the detention assessment tool (DAT) was adopted and implemented in Memphis in 2005.

Over time, changes were made to the instrument to make it more efficient. The outcome has been a 43 percent reduction in the number of youth transported to juvenile court for detention from 2003 (10,985 youth) to 2010 (6,236 youth). During the same period, the number of status offenders transported for detention decreased by 98 percent (2003 - 3,405 youth to 2010 - 57 youth).

In a related effort, John Hall, chair of the Shelby County Disproportionate Minority Contact (DMC) Task Force and Memphis City Schools coordinator of the School House Adjustment Program Enterprise (SHAPE), developed the SHAPE pilot project, which was funded by TCCY in 2008 to address the disproportionate number of minority youth caught up in the juvenile justice system. SHAPE was instituted to reduce the number of youth transported from Memphis City Schools to juvenile court for minor offenses, including criminal trespass, disorderly conduct, simple assault and gambling. With the implementation of the in-school program, there has been a more than 51 percent reduction in the number of youth transported in 2008 (approximately 1,000) to fewer than 500 in 2011.

These initiatives are just a few of the innovative practices implemented by Judge Person and other key leaders in Memphis and Shelby County. They attracted the attention of the Casey Foundation and were instrumental to Tennessee being designated as a JDAI site, with Memphis/Shelby County the initial JDAI pilot site in the state.

Memphis/Shelby County is currently the only JDAI site in Tennessee. The Tennessee Commission on Children and Youth is optimistic other counties will "come on board" this successful, effective initiative to "do the right thing" and improve services and outcomes for children.

Counties interested in exploring participating in JDAI efforts in Tennessee should contact Debrah Stafford, TCCY Juvenile Justice director, at (615) 532-1574 or [Debrah.Stafford@tn.gov](mailto:Debrah.Stafford@tn.gov). 

## JDAI Core Strategies

- **Collaboration.**
- **Use of accurate data** to describe the juvenile justice system and to assess the impact of various reforms.
- **Objective admissions criteria and instruments** to aid decision making at all points.
- **New or enhanced non-secure alternatives to detention** targeting youth at risk of being locked up and based in their neighborhoods.
- **Case processing reforms** to expedite the flow of cases through the system and reduce the lengths of stay in custody and ensure that interventions with youth are timely and appropriate.
- **Special detention cases** to re-examine cases of youth in custody as a result of probation violations, writs and warrants, as well as those awaiting placement.
- **Reducing racial disparities** with specific strategies (in addition to those listed above) aimed at eliminating bias and ensuring a level playing field for youth of color.
- **Improving conditions of confinement** through routine but rigorous and informed inspection.

# Juvenile Detention Alternatives Initiative Improves Outcomes for Juveniles and Communities

In its effort to fulfill its goal of “helping build better futures for disadvantaged children in the United States,” the Annie E. Casey Foundation created the Juvenile Detention Alternatives Initiative (JDAI) in 1992. In the two decades since, local juvenile justice systems participating in the initiative have been successful in reducing the number of youth placed in detention.

Reduction of detention use, especially for those charged with non-violent crimes, helps local governments reduce costs while maintaining community safety and improving opportunities for youth to develop into healthy, productive adults.

Detention was chosen as the site of reform as it shapes juvenile justice systems and their communities. Research has shown the long-term ill effects of detention; some research showing the effects of residential juvenile justice placement are greater for those charged with lesser crimes. Detention disrupts already tenuous connections in school, services and families. Over the long haul, the detention experience negatively impacts educational and employment levels.

The salient facts about detention can be boiled down to this: It costs a lot and is not associated with improved community safety. In fact, detention is associated with higher rates of recidivism.

## JDAI Successes

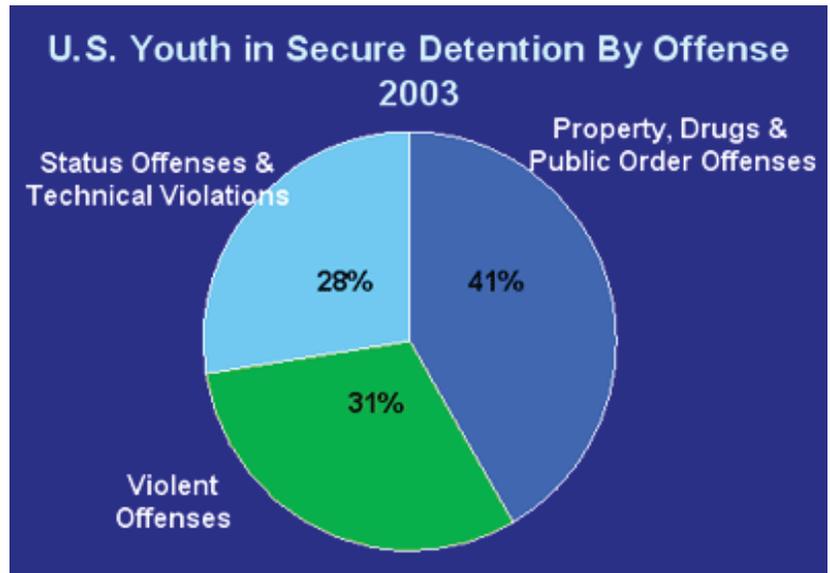
As of October 2011, approximately 150 jurisdictions in 35 states and the District of Columbia are affiliated with the initiative. These sites have reduced detention populations by as much as 65 percent. New Jersey sites reduced detention populations by 35 percent in only two years. As a result, detention centers have been closed, and detention costs reduced.

### JDAI Goals

- Reduce reliance on secure confinement;
- Improve public safety;
- Reduce racial disparities and bias;
- Save taxpayers' dollars; and
- Stimulate overall juvenile justice reforms.

In JDAI sites juvenile crime fell substantially, with rates halved in several sites. Racial and ethnic disparities were also reduced by the initiative. At the time the initiative began, detention populations were rising even though crime rates were not, with resulting crowding in detention centers. JDAI reductions lessened crowding and its accompanying problems.

More information on JDAI is available at <http://www.aecf.org/MajorInitiatives/JuvenileDetentionAlternativesInitiative.aspx> 



# Report Urges More Effective Juvenile Justice Strategies

*No Place for Kids: The Case for Reducing Juvenile Incarceration*, a report released by the Annie E. Casey Foundation (AECF), makes the case that communities are better served when they respond to crime by addressing the youths' behaviors without removing them from their homes and neighborhood.

In addition to strategies addressed in other articles in this newsletter, the report lists recommendations (listed on the following page) for more successful approaches for youth. Tennessee has begun to implement some of these recommendations, such as requiring use of evidence-based approaches to delinquent children and limiting residential placement to those with the most serious behaviors. In recent years, TCCY's Children's Program Outcome Review staff has participated in reviews of children in youth development centers in order to improve data collection, another recommendation.

The report's analysis of existing research finds youth incarceration:

- Does not reduce future offending by confined youth;
- Provides no overall benefit to public safety;
- Wastes taxpayer dollars; and
- Exposes youth to high levels of violence and abuse.

Evidence shows that residential programs are not successful in preventing future problematic behavior. Around three-fourths of youth are arrested within three years of being released from secure confinement.

Reducing the number of youth incarcerated has been associated with improved community safety, as juvenile crime rates have also fallen. Nationally, states reduced their juvenile confinement rates between 1997 and 2007 around a fourth; Tennessee cut its rate by half. During the same time, serious juvenile violent crime rates went down, falling faster in states that reduced juvenile incarceration the most.

According to the report, residential juvenile placement costs an average of \$88,000 per youth. Nationally, the Annie E. Casey report finds \$5 billion – the bulk of juvenile justice budgets – is spent on residential services.

TCCY's Resource Mapping Project data reinforced the report's finding that residential care is expensive and identified residential services as costing the most per child compared to services provided in other locations. In fiscal year 2009-10, Tennessee spent more than \$50 million dollars serving 9,000 youth identified as delinquent. A disproportionate share of these expenditures funded the youth development centers, which housed 593 youth.

Although the DCS website reports most of those in youth development centers have committed violent acts against other people or have mental health issues "or other specialized needs," nationally only about one in every eight delinquent youth had committed the most serious crimes: aggravated assault, robbery, rape or homicide.

A Florida study found youth with lesser offenses placed in residential facilities were more likely to reoffend than more high risk youth placed in those facilities. One Ohio study found low and moderate risk youth placed



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in correctional facilities were five times more likely be confined for subsequent offenses than similar youth in community supervision programs.

Over the past 40 years, investigations, including the 2010 study of sexual abuse, have found high levels of abuse in juvenile facilities. Residents have been victimized by both staff and other residents. Many people believe youth in residential placements are exposed to negative peer influences and socialized to inappropriate behavior.

Early intervention, prevention, education services and a focus on strengthening communities and families averts criminal behavior, with its accompanying pain and disruption to both the victim and the perpetrator. Youth in the juvenile justice system, according to AECF, come disproportionately from impoverished single-parent homes located in deteriorating neighborhoods and have high rates of learning disabilities, mental health and substance abuse problems.

Current conditions, with reduced funding for services but greater community needs, make movement to more effective, community-based strategies more prudent than ever.

*No Place for Kids: The Case for Reducing Juvenile Incarceration* is available at <http://www.aecf.org/OurWork/JuvenileJustice/JuvenileJusticeReport.aspx>. 

## ***No Place for KIDS* Recommendations**

- 1. Limit Eligibility for Correctional Placements**  
States should impose restrictions that limit incarceration to youth who have committed serious offenses and pose a clear and demonstrable risk to public safety.
- 2. Invest in Promising Non-Residential Alternatives.** States should redirect funds previously spent on incarceration to support a continuum of high-quality treatment and supervision programs.
- 3. Change the Financial Incentives for Incarcerating Youth.** States should revamp funding mechanisms to increase the incentives for local courts to treat delinquent youth in their home communities whenever possible.
- 4. Adopt Best Practice Reforms for Managing Youthful Offenders.** States and localities should implement complementary policies and practices that have proven useful for safely reducing the number of youth confined in correctional facilities.
- 5. Replace Large Institutions with Small, Treatment-Oriented Facilities for the Dangerous Few.** States should place serious and chronic youth offenders into small, humane and treatment-oriented facilities, such as those operated by Missouri's Division of Youth Services (DYS).
- 6. Use Data to Hold Youth Corrections Systems Accountable.** States should collect more and better information about correctional programs and use the data to hold systems accountable.

# MCS's SHAPE Program Succeeds in Keeping Children out of Juvenile Court

The SHAPE (School House Adjustment Program Enterprise) Program, which was initially funded with federal funds granted by TCCY, has been recognized by the OJJDP as particularly effective. The program, operated by a collaboration led by Memphis City Schools (MCS), reduced the number of students referred by the schools to juvenile court by more than a fourth over one year.

The program began in 2008-09 in the 17 high schools and one middle school with the highest number of referrals to juvenile court. During 2006-07, MCS referred 1,766 students to the Juvenile Court of Memphis and Shelby County.

Over 97 percent were African American and thus members of a minority group disproportionately represented in the local juvenile court system. In the two years prior to the beginning of the program, these schools had referred 966 students (2006-07) and 988 students (2007-08) to juvenile court.

Students facing charges of simple assault with no injuries, disorderly conduct or criminal trespass on school property are eligible for SHAPE. Participants can have no felony adjudications and convictions or pending charges, nor have had any other misdemeanor charges within the past 12 months. Importantly, participants must be willing to participate in the program.

The SHAPE program is now implemented in the 21 MCS middle and high schools that historically have had the highest number of referrals to the court over the past 15 years. Each school has a site coordinator, most of whom are trained behavioral specialists.

After being accepted for and accepting the program, participants fill out an intake form. Paperwork for a referral to juvenile court is also completed at intake but kept at the school.

Participants begin completing 12 sessions of the "Too Good for Drugs and Violence" curriculum. The school site coordinator documents the participants' attendance.

In 2009-10, a total of 416 students participated in the program, and 61 percent or 254 of them successfully completed it. Nearly 20 percent of the students were dropped from the program because of new charges, and about 14 percent stopped participating before the end of the program. An evaluation of the program found the schools transported 40 percent fewer students to juvenile court in 2009-10 than they did in 2007-08.

Collaboration partners include Memphis Police Department, the Shelby County Mayor's Office, the Shelby County Public Defender's Office and the Shelby County Juvenile Court.



**SHAPE collaborative members and TCCY Juvenile Justice Director Debrah Stafford gathered to celebrate and sign their agreement to work together.**

The SHAPE Program was initially funded using Office of Juvenile Justice and Delinquency Prevention funds allocated by TCCY. Memphis City Schools took over funding the project in 2010.

An evaluation of the program credited an examination of the response to behavior problems in the schools, which led to policy changes among Memphis City Schools, the Memphis Police Department and the Shelby County Juvenile Court.

Representatives of Memphis City Schools and the SHAPE program continue to share information on the program across the state, most recently in Chattanooga, and to national groups. 

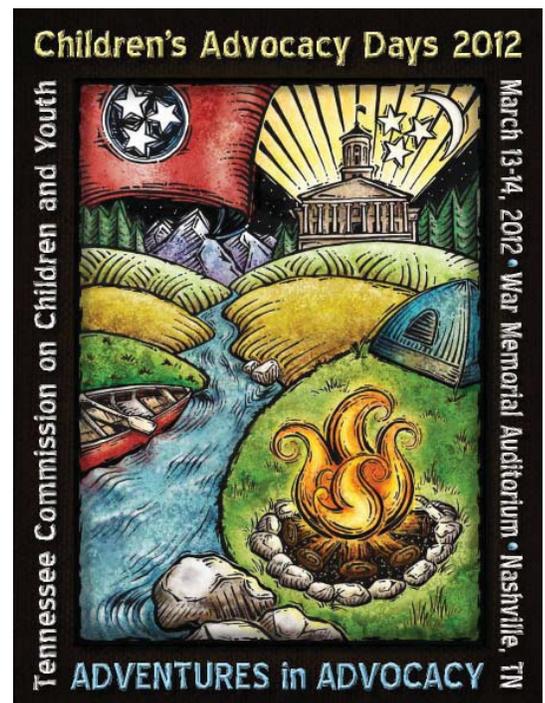
## TCCY Seeking Youth Excellence Award Nominees

Children's Advocacy Days, TCCY's annual training and networking event, will be March 13-14. Recognizing individuals who have contributed to the well-being of children is a part of the event.

A core belief of child advocates is, that with community support, young people can and will succeed. Youth referred to juvenile court, their families and friends and their communities have worked together successfully when they overcome their problems and are able to give back.

TCCY honors those youth with the Youth Excellence Award. The agency is seeking nominations for the award. The nomination requirements and form are available online at <http://www.tn.gov/tccy/aw-yexcl12.pdf>. Nominations are due February 10, 2012.

Registration for the 2012 Children's Advocacy Days is available at <http://cad2012.eventbrite.com/> 



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