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Across the nation, a new approach to juvenile justice

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A renaissance in the administration of juvenile justice has taken hold in California. Waves of innovative, evidence-based policies have eroded the traditional model, diverting resources away from juvenile courts and detention facilities and toward multidisciplinary diversion programs that are less expensive and more prevalent every year.

In 1996, more than 10,000 minors occupied California correctional facilities. By 2013, that population plummeted to less than 700. The vast majority of juvenile cases are now filtered into a diffuse web of county agencies and outreach programs, emphasizing prevention and rehabilitation over punishment and confinement.

"I see a marked movement away from traditional types of penal punishment and a move towards providing more services and more of a holistic approach," said Donna Tryfman, supervising public defender at the Eastlake Juvenile Court in Los Angeles.

"There's a real partnership between the courts, the attorneys ... mental health departments, drug courts ... and other social services, so that the child has a much better chance at success rather than just being incarcerated and not having their life restructured," she added.

The dramatic rise of juvenile diversions stems from the reassembling of the California Division of Juvenile Justice in the early 2000s. In response to soaring recidivism rates, and mounting reports of inhumane conditions and rampant violence within state juvenile facilities, a surge of legislative action prompted an overhaul of the youth correctional system.

State and federal grants, such as the Juvenile Justice Crime Prevention Act (JJCPA), established a reliable stream of funding for "programs that have proven effective in curbing crime among at-risk youths." In 2012-2013, \$107 million in funding from the act supported 149 programs in 56 counties.

The programs encompass an array of objectives and methodologies. But most share a philosophy rooted in holistic, evidence-based strategies aimed at crime deterrence and prevention.

"The developmental approach, that's the movement right there," explained professor and child developmental specialist Kathleen Van Antwerp, director of the Sheriff's Youth Foundation of Los Angeles County. The program identifies at-risk youth and works closely with law enforcement, behavioral specialists, schools, and other entities to reduce the risk that participants will later enter the criminal justice system.

"When you bring in the science of cognitive and developmental child science," she continued, "to take into consideration where is their brain in terms of maturation, how is their home life and how is that impacting the decisions they make ... we have a science that can help take young people and find mindful ways to bring them down a constructive path."

As diversion has come to play an increasingly important role in juvenile justice, so too have county probation departments, often the first to identify at-risk youth and direct them toward the proper programs.

"This has been a change in thinking of the role of probation," confirmed Los Angeles County Probation Bureau Chief David Mitchell. "For the last 10 years we've been on a journey to change the model from community safety-focused and detention to more rehabilitation and early intervention and prevention. ... Real gains are done with the kids in their natural ecology." Probation officers have increasingly incorporated developmental models, as well.

"We employ evidence-based, cognitive restructuring using social learning curriculum and structured programs," added Los Angeles County Probation Bureau Chief Paul Vinetz. "It's kind of like going to the doctor and they take a test and the panel will tell you if you have high blood sugar. We kind of do the same thing with evaluating the environments of all of our kids." Evaluating, engaging, and improving the home environments of at-risk youth has become a central facet of modern juvenile diversion.

Organizations such as Functional Family Therapy (FFT), for example, train specialists to work with children and their families at home to improve family relations and diminish the environmental triggers that put the youth at risk in the first place.

"The cornerstone of FFT is that kids don't act in isolation," explained Catie Boatwright, clinical supervisor of the Family Rising New York Center for Juvenile Justice.

"To take a juvenile offender and say, I'm going to treat you on your own, and send you right back home, is to send them right back to the same environment

and the same triggers, she added. "It's amazing to see the change that you're able to create for an adolescent when you're impacting their whole system." Studies suggest that the increased emphasis on diversion has helped to curb youth recidivism rates while saving taxpayer dollars.

The Rand Corporation's 2013-2014 report on JJCPA programs in Los Angeles found that participants exhibited reduced rates of arrest and incarceration and increased rates in completion of community service, probation, and restitution when compared with similarly situated teens.

Youths who do not participate in the programs are consistently 20 to 30 percent more likely to be arrested than JJCPA members, the report said.

The Rand report also estimated that JJCPA programs cost an average of \$6.77 per participant per day. Functional Family therapy spends \$12,000 per participant.

When compared with the Los Angeles Police Department's estimated cost of \$2,181.33 per juvenile arrest, the potential for savings is startling.

When compared with the Justice Policy Institute's estimated yearly price tag of \$208,338 per California juvenile incarceration, not including indirect expenses which the same study estimates cost state and local governments between \$8 billion and \$21 billion annually, the potential for savings impresses policymakers. "The cost savings are actually kind of insane," commented Boatwright. "There are a lot of cost benefits to this, but it's deeper than that. You can really impact the whole ecosystem of a neighborhood. ... You can really change their lives in a way that there's a lot of measurable data, but there's a lot of other ways that are just invaluable."

"It's intuitive: when you keep kids out of the system, you save money," agreed Placer County Judge Richard Couzens. "You're also saving with probation officers, police officers, court staff, and future victims of crimes. It's expensive to operate a court."

Couzens formerly served as president of the National Youth Court Association, a popular diversion program that has grown to more than 70 courts in California. In youth court, qualifying minors may admit to an offense and elect to be "tried" by a jury of their peers — a panel of teenage, former participants who question the defendants and fashion their sentences.

As with other diversion programs, youth courts are relatively inexpensive to operate, relying primarily on volunteers and grants. By all accounts, the program is remarkably effective at preventing future crime.

"The recidivism rate is ridiculously low out of that program compared to normal recidivism rates through juvenile court," said Judge Gary Hoff, former presiding judge of the Fresno County Superior Court. "There's a variety of reasons for that, part of which is that kids learn good lessons through that process." Couzens estimated a statewide recidivism rate among youth court participants of less than 10 percent. In Auburn County, he said, the rate was as low as 4 percent.

In May, representatives of the judiciary, law enforcement agencies, community-based organizations, and other leaders in youth diversion convened for the inaugural "Evidence-Based Juvenile Arrest Diversion" summit in Los Angeles -- a testament to the growing support for a diversion-first approach to juvenile justice.

"The convening is a huge sign," said Antwerp, the summit's opening speaker. "From judges to law enforcement to community based organizations coming together to say this is impactful, it's picking up momentum because longitudinal studies continue to show when we use the best practices in the science of child development we can impact these children's lives."
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