



2005 Market Street, Suite 2800 215.575.9050 Phone
Philadelphia, PA 19103-7077

901 E Street NW 202.552.2000 Phone
Washington, DC 20004
www.pewtrusts.org

March 20, 2017

The Honorable Amy Klobuchar
Ranking Member, Subcommittee on Antitrust, Competition Policy and Consumer Rights
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

RE: “Improving Outcomes for Youth in the Juvenile Justice System,” responses to questions for the record

“You have had the opportunity to provide assistance to several states pursuing juvenile justice reforms through your position with the Pew Charitable Trusts’ Public Safety Performance Project. In your testimony, you discuss that alternatives to detention for youth who have committed non-violent offenses can be both ‘lower cost’ and ‘higher return.’ In your experience, what have been some of the most effective of these solutions?”

The states we have assisted with reform all begin by looking to the research for evidence of what works – and what doesn’t – to reduce recidivism and maximize the public safety return on juvenile corrections spending. One common finding is that juvenile correctional facilities are high cost and poor return when it comes to reducing recidivism for many youth. For example, a study in Texas found that youth in “community-based treatment, activity, and surveillance programs had lower re-arrest rates than those with similar criminal histories and demographic characteristics who were released from state facilities.”¹ Similarly, a study of long-term recidivism in Cook County, Illinois found that youth were more likely to drop out of high school and face incarceration as adults if they were confined as juveniles.² Lastly, a study of Ohio’s RECLAIM initiative found that for all but the high risk, youth who were supervised in the community had lower recidivism rates.³

Several states have taken an approach to juvenile justice that restricts out of home placement to the most serious cases while expanding alternatives for lower risk youth and less serious offenses, and they have found this approach both to have a lower cost and provide better outcomes for youth.

¹ The Pew Charitable Trusts. (2015). *Re-Examining Juvenile Incarceration*. Retrieved from: <http://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2015/04/reexamining-juvenile-incarceration>

² The Pew Charitable Trusts. (2015). *Re-Examining Juvenile Incarceration*. Retrieved from: <http://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2015/04/reexamining-juvenile-incarceration>

³ The Pew Charitable Trusts. (2015). *Re-Examining Juvenile Incarceration*. Retrieved from: <http://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2015/04/reexamining-juvenile-incarceration>

Though tailored for each state, there are at least three common denominators to these policies:

1. Do no harm: as the saying goes, “when you’re in a hole, stop digging.” Decades of research shows that some programs – particularly those premised on surveillance only – consistently produce poor results by increasing recidivism. If nothing else, states should halt practices that increase the likelihood of future crime.
2. Fund programs that work: the research also points the way to supervision, services, and sanctions that reduce recidivism. Some of these are trademarked therapeutic programs while others are home-grown models. Regardless, they are based on principles of effective intervention, including a focus on the higher-risk youth; a front-loading of resources in the critical days, weeks, and months after a juvenile is placed on supervision or released from a facility; attention to the particular crime-producing needs of the individual child; and more. There are several clearing houses for such programs, including the Pew-MacArthur Results First Initiative.
3. Align fiscal incentives with goals for the safe reduction of correctional populations: in many states, counties or localities provide for the supervision and services for youth in the community while the state pays for the residential placement of juveniles. This creates two related problems: first, there is a fiscal incentive to place youth in state-funded facilities and, second, the money doesn’t follow the youth if the court chooses to supervise the youth locally. Several states including Ohio and Illinois have developed performance incentive funding structures wherein the savings realized by states through reduced commitments of youth are shared, in part, with the counties that are reducing their commitments in order that they can build a local continuum of supervision, services and sanctions.

The research and lessons from states could not be clearer that for many juveniles, alternatives to incarceration are both more effective and less expensive than out-of-home placement.

Sincerely,

Jake Horowitz
Director of Research and Policy, Public Safety Performance Project
The Pew Charitable Trusts