

Issue Brief

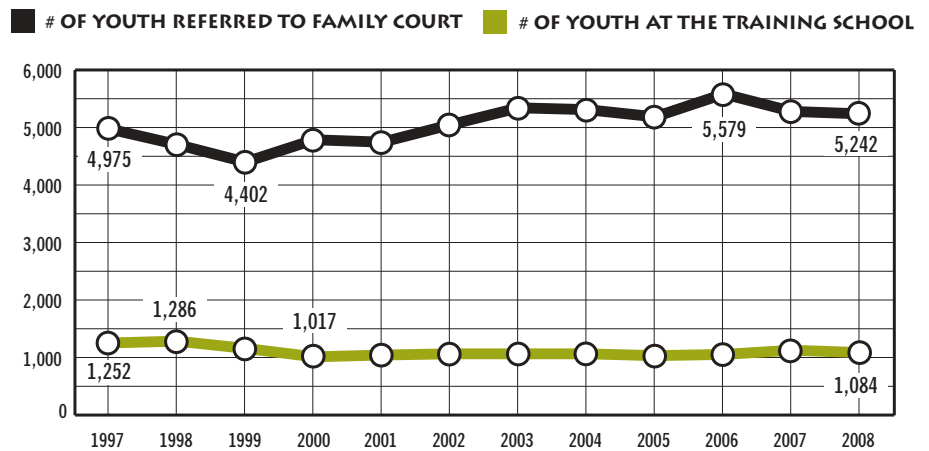
JUVENILE JUSTICE IN RHODE ISLAND

Juvenile justice systems have three primary obligations: to identify and respond to the needs of the young people in their care; to protect youth from legal jeopardy; and to maintain public safety.¹ The rehabilitation of youth in the juvenile justice system is critical for achieving positive outcomes.

Youth at risk of juvenile justice system involvement often come to the attention of schools, social service agencies and child welfare systems, presenting early opportunities to prevent entry into the system. Individual factors, such as poor academic performance, early antisocial behavior, cognitive impairment and association with high-risk youth, as well as other factors, such as family and community poverty, inadequate parenting skills, child maltreatment, substance abuse and exposure to family and community violence, contribute to juvenile justice system involvement.^{2,3}

Alternatives to incarcerating youth have been shown to be more successful in preventing recidivism and more cost-effective than incarceration. The most effective programs are community-based, intensive, sustained and involve families and youth in programs individualized to their needs and strengths.^{4,5,6} Alternatives to incarceration can include juvenile hearing boards, skills-training programs, restorative justice programs, day and evening reporting centers, and substance abuse and mental health treatment programs.⁷

YOUTH REFERRED TO FAMILY COURT AND YOUTH AT THE TRAINING SCHOOL, 1997-2008, RHODE ISLAND



◆ During 2008, 5,242 youth were referred to the Rhode Island Family Court for wayward or delinquent offenses, and 1,084 youth were detained and/or adjudicated at the Rhode Island Training School.

Source: Rhode Island Family Court, 1997-2008; Rhode Island Department of Children, Youth and Families, Rhode Island Children's Information System (RICHIST), 1997-2008.



THE *JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT* (JJDP A)

◆ The *Juvenile Justice and Delinquency Prevention Act* (JJDP A) was initially enacted in 1974 and was most recently reauthorized in 2002. JJDP A created standards to ensure that youth involved in the juvenile and criminal courts are safeguarded by federal standards for care and custody, while also upholding the interests of community safety. The Act is administered by the Office of Juvenile Justice and Delinquency Prevention of the U.S. Department of Justice and provides federal funding for delinquency prevention and improvements in state and local juvenile justice programs, overseen by state advisory groups. JJDP A is currently being considered for reauthorization in Congress. JJDP A mandates that:

- (1) status offenders cannot be held in secure confinement,
- (2) juveniles may not be held in adult jails or secure lockups for more than six hours,
- (3) when youth are securely detained they must be "sight and sound" separated from incarcerated adults, and
- (4) states address the disproportionate number of minority youth who are confined.⁸

Rhode Island has maintained substantive compliance with these mandates since 1995.⁹

◆ The Rhode Island Justice Commission (RIJC) has administered JJDP A for Rhode Island since 1975. Since then, approximately \$28 million in JJDP A grant funds have been distributed to state, city, town and community groups for delinquency prevention, youth development projects and system reform efforts. Funding recommendations are developed by the Juvenile Justice Advisory Committee (JJAC), the permanent subcommittee of the RIJC, and then approved by the RIJC Policy Board.¹⁰

◆ In 2008, Rhode Island received \$600,000 through the JJDP A formula grant, \$48,360 in federal funds for community-based juvenile delinquency prevention through Title V of JJDP A and \$310,900 through the *Juvenile Accountability Incentive Block Grant* (JAIBG). The purpose of JAIBG funding is to assist states in developing programs and systems of accountability-based sanctions that hold youth responsible for their offenses and restore the bond between offenders and victimized communities.¹¹



JUVENILE VIOLENT CRIME HAS DECREASED

◆ Violent crimes among youth in the U.S. declined between 1994 and 2004. In 2005 and 2006, there was a slight increase nationally in arrests of juveniles for violent crimes, however this number fell again in 2007.¹² Nationally, less than one-quarter of incarcerated youth were involved in violent felonies, and many youth are incarcerated for misdemeanor or status offenses (age-related acts that would not be punishable if the offender was an adult).¹³

◆ In Rhode Island between 1994 and 2008, juvenile violent crimes offenses referred to Family Court fell from 579 in 1995 to 386 in 2008. Violent crimes made up 4% of all offenses referred to Rhode Island Family Court in 2008.¹⁴

◆ Youth violence can be prevented through (1) programs that improve youths' family and community environments; (2) school-based interventions focused on improving the school environment and behavioral expectations; and (3) cognitive behavioral programs and community-based after-care and supervision programs designed to change youths' thoughts, beliefs, attitudes or behaviors.¹⁵

◆ Community problems like crime, poverty, mobility and unemployment can increase violence among youth in a community. Promising programs to address community risk factors use case management, out-of-school opportunities for youth, and increased community policing.¹⁶

JUVENILES REFERRED TO THE RHODE ISLAND FAMILY COURT

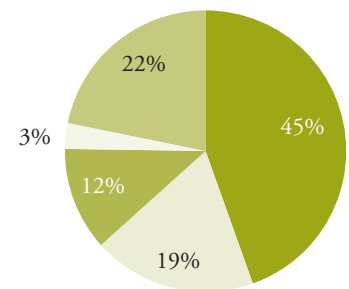
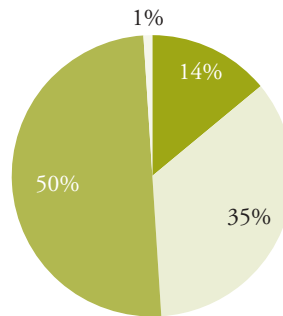
◆ The Rhode Island Family Court has jurisdiction over juvenile offenders under age 18 referred for wayward and delinquent offenses. All referrals to Family Court are from state and local law enforcement agencies, except for truancy cases, which are referred by local school departments.

JUVENILE WAYWARD/DELINQUENT OFFENSES REFERRED TO RHODE ISLAND FAMILY COURT, 2008

By Type of Offense	
28%	Property Crimes
19%	Disorderly Conduct
17%	Status Offenses*
10%	Simple Assault
8%	Alcohol and Drug Offenses
5%	Traffic Offenses
4%	Violent Crimes
3%	Weapons Offenses
5%	Other**

By Age of Juvenile	
14%	Ages 13 or Younger
35%	Ages 14 and 15
50%	Ages 16 and 17
1%	Over Age 17

By Race and Ethnicity of Juvenile	
45%	White
19%	Black
12%	Hispanic
3%	Asian
22%	Other/Unknown



n=8,790 offenses

*Status offenses are age-related acts that would not be punishable if the offender was an adult, such as truancy and disobedient conduct.

**Other includes offenses such as conspiracy, crank/obscene phone calls and computer crimes. Probation violations, contempt of court and other violations are not included in the offenses above.

Source: Rhode Island Family Court, 2008 Juvenile Offense Report. Percentages may not sum to 100% due to rounding.

◆ During 2008 in Rhode Island, 5,242 youth (5% of Rhode Island youth between the ages of 10 and 17) were referred to Family Court for 8,790 wayward and delinquent offenses. An additional 957 probation violations also came before the Family Court in 2008. In 2008, 26% of juveniles referred to the Rhode Island Family Court were female and 74% were male.¹⁷

◆ Youth in urban communities with high poverty concentrations are more likely to be referred to Family Court for wayward or delinquent offenses. In 2008 in Rhode Island, 26% of juvenile offenses referred to Family Court were committed by youth from Providence, 24% by youth from the other five core cities and 50% by youth from the remainder of the state.¹⁸

◆ There were 1,494 status offenses referred to Family Court in 2008, making up 17% of all offenses. Status offenses are age-related acts that would not be punishable if the offender was an adult, such as truancy and disobedient conduct.¹⁹ Between 1997 and 2008, the number of Rhode Island Family Court intakes for truancy offenses increased from 265 to 1,214.²⁰

SUPPORTING YOUTH DEVELOPMENT AND OPPORTUNITY

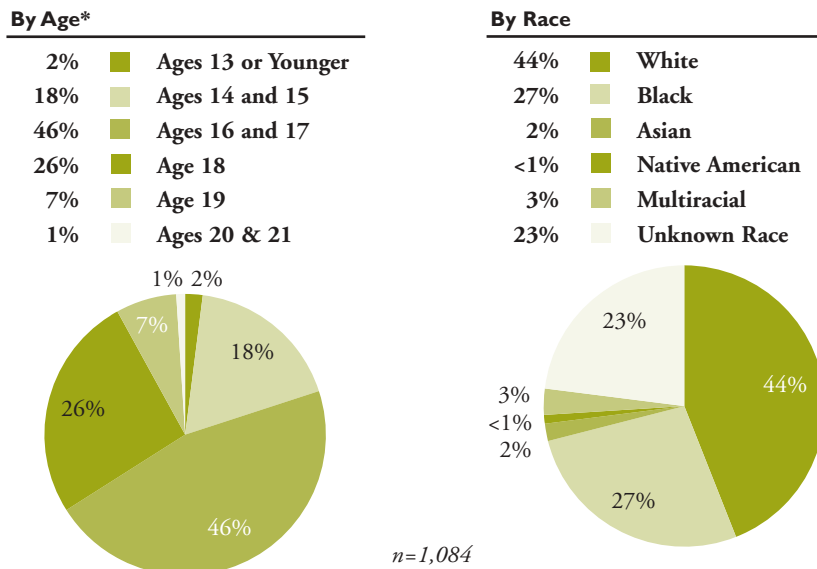
◆ Access to youth development programs, increased educational and employment opportunities, family support strategies and community-building efforts provide opportunities to prevent youth from becoming involved with juvenile justice systems and enable them to be successful in their homes and communities. According to the America's Promise Alliance, all young people need: caring adults, safe places, a healthy start, effective education and opportunities to help others.²¹

JUVENILES AT THE RHODE ISLAND TRAINING SCHOOL

◆ The Rhode Island Department of Children, Youth and Families (DCYF) operates the Rhode Island Training School for Youth, the state's secure facility for detained youth and adjudicated youth (those who have been sentenced by a judge). In 2009, a new Rhode Island Training School facility for boys was opened with 96 beds at the Youth Development Center and 52 beds at the Youth Assessment Center.

◆ A total of 1,084 youth (81% male and 19% female) were in the care and custody of the Training School at some point during 2008. There were 860 youth held in detention at the Training School and 478 youth adjudicated to the Training School during 2008; some youth are counted in both categories.

JUVENILES AT THE RHODE ISLAND TRAINING SCHOOL, 2008



◆ The average daily census at the Rhode Island Training School in June 2008 was 192 youth. In June 2009, the average count was 164 youth.

Note: Thirty-one percent of these youth were identified as Hispanic. Hispanic youth are also included in the other race categories.

Source: Rhode Island Department of Children, Youth and Families, Rhode Island Children's Information System (RICHIST), 2008. These data include youth in detention, youth adjudicated to the Training School, and those adjudicated to Temporary Community Placements (TCP). *As of July 2007, the upper age at which the Family Court (and therefore the Training School) could maintain youth in the juvenile system was reduced from 21 to 19.

CAP ON THE NUMBER OF YOUTH AT THE RHODE ISLAND TRAINING SCHOOL

◆ In 2008, the Rhode Island General Assembly instituted a cap of 148 males and 12 females on the Rhode Island Training School detained and adjudicated populations and required the state to develop and implement a risk assessment instrument for juvenile detention decisions by July 1, 2009.²² A pilot detention risk assessment instrument has been developed and field tested, and implementation procedures are being developed.

◆ In 2008, 29% of the 1,331 admissions to detention at the Rhode Island Training School that did not lead to adjudications to the Training School or Temporary Community Placements (TCP) resulted in stays of two days or less, 72% resulted in stays of two weeks or less and 28% resulted in stays of more than two weeks.²³ Many youth who stay in detention for long periods of time are waiting for waivers to the adult system or for appropriate placements to be found.

◆ Of the 522 adjudicated youth discharged from the Training School during calendar year 2008, 30% were there for less than one month, 28% for one to six months, 20% for seven months to a year, and 22% for more than a year.²⁴

**YOUTH IN THE CARE OR CUSTODY OF
THE RHODE ISLAND TRAINING SCHOOL, 2008**

CITY/TOWN	TOTAL YOUTH POPULATION (AGES 13 TO 21)	NUMBER OF YOUTH DETAINED AT THE TRAINING SCHOOL DURING 2008	NUMBER OF YOUTH ADJUDICATED TO THE TRAINING SCHOOL DURING 2008	UNDUPLICATED NUMBER OF YOUTH IN THE CARE OR CUSTODY OF THE TRAINING SCHOOL DURING 2008
Barrington	2,009	9	4	11
Bristol	3,525	2	1	3
Burrillville	2,067	4	1	7
Central Falls	2,625	34	20	48
Charlestown	755	2	1	4
Coventry	3,688	15	9	16
Cranston	8,499	47	27	50
Cumberland	3,325	20	6	28
East Greenwich	1,397	0	0	1
East Providence	5,092	24	11	36
Exeter	730	1	0	1
Foster	512	3	0	3
Glocester	1,251	1	1	3
Hopkinton	912	5	3	7
Jamestown	536	2	2	1
Johnston	2,624	10	4	10
Lincoln	2,260	12	5	11
Little Compton	351	0	0	0
Middletown	1,647	8	4	13
Narragansett	2,798	3	1	3
New Shoreham	70	0	0	0
Newport	3,755	23	18	32
North Kingstown	2,773	8	4	11
North Providence	3,045	13	6	18
North Smithfield	1,073	5	2	6
Pawtucket	8,298	98	61	113
Portsmouth	1,723	7	0	9
Providence	33,871	303	186	388
Richmond	783	0	0	1
Scituate	1,155	2	1	2
Smithfield	3,890	4	2	6
South Kingstown	6,532	8	5	8
Tiverton	1,523	6	2	7
Warren	1,208	4	3	8
Warwick	8,863	33	17	38
West Greenwich	599	0	0	0
West Warwick	3,177	24	18	36
Westerly	2,414	15	8	19
Woonsocket	5,034	59	25	79
<i>Out of State</i>	<i>NA</i>	<i>42</i>	<i>17</i>	<i>45</i>
<i>Unknown</i>	<i>NA</i>	<i>4</i>	<i>3</i>	<i>2</i>
<i>Core Cities</i>	<i>56,760</i>	<i>541</i>	<i>328</i>	<i>696</i>
<i>Remainder of State</i>	<i>79,629</i>	<i>273</i>	<i>130</i>	<i>341</i>
<i>Rhode Island</i>	<i>136,389</i>	<i>814</i>	<i>458</i>	<i>1,037</i>

Sources: Rhode Island Department of Children, Youth and Families, Rhode Island Children's Information System (RICHIST), 2008. Data are for adjudicated and detained youth who were in the care or custody of the Rhode Island Training School during calendar year 2008 (including youth from out of state, those with unknown addresses and those in temporary community placements). Youth with out-of-state and unknown addresses are not included in the Rhode Island, core cities or remainder of state totals. The total unduplicated column includes youth who were detained and/or adjudicated to the training school as well as youth who received Temporary Community Placement (TCP) adjudications. Youth who received TCP adjudications are included in the adjudicated column. Youth may be counted in both the detained and adjudicated columns as applicable. The sum of the detained and adjudicated columns may be less than the total unduplicated column because the numbers were generated using RICHIST at two different times during the past year. Because RICHIST is a "live" data system, family address changes between data runs can cause discrepancies. Total population ages 13-21 data are from the U.S. Census Bureau, Census 2000.

Notes: There is no statutory lower age limit for sentencing, however adjudicated children under the age of 13 typically do not serve sentences at the Training School. An "out-of-state" designation is given to youth whose parent(s) have an address on file that is outside of Rhode Island or to a youth who lives in another state, but commits a crime in Rhode Island and is sentenced to serve time at the Training School.



YOUTH AT THE RHODE ISLAND TRAINING SCHOOL: HISTORY OF RISK FACTORS

HISTORY OF CHILD ABUSE AND NEGLECT

- ◆ Forty-two percent of the 305 adjudicated youth in the care and custody of the Training School on January 1, 2009 had documented histories of child abuse or neglect.²⁵
- ◆ Nationally, youth in child welfare systems who enter group homes are 2.5 times more likely than youth with similar backgrounds who are served in foster care homes to enter the juvenile justice system.²⁶

BEHAVIORAL HEALTH NEEDS

- ◆ In 2008, all youth adjudicated to the Training School received counseling services as part of their service plans, and 156 youth received mental health services for psychiatric diagnoses other than conduct disorders and substance abuse disorders.²⁷
- ◆ During 2008, 54 males participated in the residential substance abuse treatment program at the Training School, designed specifically for youth offenders.²⁸ Half of the youth at the Training School during the week of January 10, 2008 were receiving outpatient substance abuse treatment.²⁹

TEEN PREGNANCY AND PARENTING

- ◆ Two of the 13 adjudicated and detained females at the Training School during the week of January 10, 2008 were pregnant. Nine of the 110 adjudicated males at the Training School during this period reported already being a parent and two reported being an expectant parent.³⁰

EDUCATION

- ◆ Approximately half of the students at the Training School receive special education services. Of the 96 students at the Training School on January 15, 2008 with school records, 12 (13%) had failed all classes before entering the Training School. The average reading and math skills of students entering the Training School were at fifth grade levels.³¹
- ◆ During the 2007-2008 school year, 78 adjudicated youth graduated from high school while serving a sentence at the Training School. Fifty-eight of these students graduated with a GED and 20 graduated with a high school diploma.³²

PEER INFLUENCES

- ◆ Peer influences are often a significant factor in the development of antisocial behavior. Placing delinquent youth together (such as in a Training School) may reduce the likelihood of positive program impacts and can sometimes lead to negative outcomes, including increased risk of adult criminal justice system involvement.^{33,34}

GIRLS IN THE JUVENILE JUSTICE SYSTEM

- ◆ Girls in the juvenile justice system enter with different personal and offense histories and needs than their male peers. Girls are less likely than boys to commit violent offenses. The majority of offenses committed by girls are property crimes and status offenses (age-related acts that would not be punishable if the offender was an adult). Girls are disproportionately arrested for running away from home.³⁵
- ◆ Girls in the juvenile justice system are very likely to have histories of physical and sexual abuse and exposure to violence. As a result, they are often at risk for self-abusive behaviors, mental health issues (like depression and post-traumatic stress disorder), substance use and suicide attempts, requiring support services tailored to their needs.^{36,37}

MINORITY DISPROPORTIONALITY IN JUVENILE JUSTICE

- ◆ A national review of more than 150 studies has shown that racial bias plays a part in the overrepresentation of minority youth in juvenile justice systems. At every point in juvenile justice systems, youth of color (both males and females) are more likely to receive more severe treatment than White youth. Disproportionate minority contact has been shown not to be entirely the result of higher rates of offending by youth of color. All else being equal, youth of color are more likely than White youth to be detained, formally charged in juvenile court, placed in a secure facility (and less likely to receive probation), more likely to be waived to adult court and more likely to be incarcerated as an adult once waived to the adult system.^{38,39,40}
- ◆ It has been clearly documented that Black youth in the United States receive different and more severe treatment than White youth for similar offenses, accumulating disadvantage at each step of the juvenile justice process. Black youth made up 16% of the U.S. youth population between 2002 and 2004, but comprised 28% of juvenile arrests, 30% of adjudicated youth, 35% of youth waived to adult court and 58% of youth admitted to state adult prisons. National data on Hispanic youth in juvenile justice systems show that they also have disproportionate contact, but the data are less clear in part because of poor record keeping on ethnicity in many jurisdictions.⁴¹

DISPROPORTIONATE MINORITY CONTACT WITH THE JUVENILE JUSTICE SYSTEM IN RHODE ISLAND

	% OF TOTAL CHILD POPULATION, 2007	% OF JUVENILES DETAINED BY POLICE, 2008	% OF JUVENILE OFFENSES REFERRED TO FAMILY COURT, 2008	% OF JUVENILES WHO PASSED THROUGH THE TRAINING SCHOOL, 2008	% OF JUVENILES ADJUDICATED TO THE TRAINING SCHOOL, JAN. 1, 2009	% OF JUVENILES ON PROBATION, DEC. 29, 2008
White	74%	54%	45%	44%	35%	45%
Black	8%	26%	19%	27%	34%	26%
Asian	4%	2%	3%	2%	4%	2%
Native American	<1%	<1%	NA	<1%	1%	<1%
Multi-Racial	4%	NA	NA	3%	3%	3%
Other/Unknown	11%	<1%	22%	23%	24%	23%
Hispanic	18%*	17%	12%	31%*	29%*	27%*

Sources: Child Population by race is from the U.S. Bureau of the Census, American Community Survey, 2007. Police Detentions are from the Juvenile Detention Data Summaries submitted by Rhode Island Police Departments to the Rhode Island Justice Commission, 2008. Family Court referrals are from the Rhode Island Family Court, 2008. Passed through the Training School are from the Rhode Island Department of Children, Youth and Families (DCYF), 2008. Adjudicated to the Training School are point-in-time data from DCYF for January 1, 2009. Probation are point-in-time data from DCYF for December 29, 2008. *Hispanics in these columns are also included in other racial categories.

- ◆ Youth of color are disproportionately more likely than White youth to have contact with juvenile justice systems in Rhode Island. Black youth make up 8% of the state's child population and 27% of youth who passed through the Rhode Island Training School in 2008, Hispanic youth make up 18% of the child population and 31% of youth who passed through the Training School in 2008, while White youth make up 74% of the child population and 44% of youth who passed through the Training School in 2008.⁴²

IMPROVING CULTURAL COMPETENCY IN JUVENILE JUSTICE SYSTEMS

- ◆ Cultural competency is based on respect for and understanding of cultural differences between different groups, and is particularly important when service providers and youth come from different backgrounds.⁴³ Cultural competency training addresses cultural factors that typically influence decision making about youth by increasing knowledge among service providers about different cultures, addressing cultural biases and stereotypes, and producing changes in individual and organizational practice.⁴⁴



PREVENTING RECIDIVISM: COMMUNITY-BASED ALTERNATIVES TO JUVENILE INCARCERATION

- ◆ The rehabilitation of youth and the prevention of recidivism (repeat offending) with the goal of protecting public safety and improving youth outcomes are key elements of juvenile justice systems. National research shows that an over-reliance on the incarceration of juveniles who do not pose a serious danger to the community is not cost-effective and leads to worse public safety outcomes and higher rates of recidivism than the use of community-based alternatives to incarceration.^{45,46}
- ◆ Approximately one-in-four Rhode Island youth who have contact with the juvenile justice system return multiple times to the Family Court and the Training School. Of the 5,242 youth referred to Rhode Island Family Court in 2008, 26% (1,376) had one or more prior referrals, and 18% (246) of youth with previous referrals had been referred three or more times.⁴⁷ Similarly, of the 1,084 youth who were at the Training School at some point during 2008, 25% (258) had been admitted previously and 25% (64) of the youth previously admitted had been at the Training School three or more times.⁴⁸
- ◆ Key components of successful community-based programs to prevent juvenile recidivism include early and timely interventions, intensive family therapy, and an acknowledgment of the critical roles that families, homes and communities play in resolving delinquency. Successful programs also work with youths' strengths and provide a wide range of services and resources tailored to the needs of youth and their families, including academic and job skills assistance, substance abuse and mental health treatment and supports.^{49,50}
- ◆ Programs that offer transition services for youth returning to their communities after being incarcerated are important for reducing recidivism. For serious, repeat and violent juvenile offenders, the quality and intensity of rehabilitative services is particularly critical, since most youth will eventually return to their communities. Successful models for the rehabilitation of chronically delinquent youth include addressing multiple needs at once, family involvement, counseling, interpersonal skills training, substance abuse treatment, intensive academic programs, and vocational skills training.^{51,52,53}



RHODE ISLAND JUVENILE COURTS AND HEARING BOARDS

- ◆ Juvenile courts have a wide range of diversion options for handling juvenile offenders, including: restitution, community service, home curfews, academic supports, counseling, substance abuse treatment and probation.⁵⁴ In 2008 in Rhode Island, 22% of all cases referred to Family Court were diverted instead of proceeding to a formal court hearing.⁵⁵
- ◆ The Rhode Island Family Court also administers several alternatives to traditional court hearings, including the Truancy Court and the Juvenile Drug Court. In 2008, 2,229 juveniles were referred by schools in Rhode Island to the Truancy Court and 232 juveniles who committed drug offenses or who had drug issues were diverted to the Juvenile Drug Court pre-adjudication.⁵⁶ Juveniles referred to the Drug Court undergo a six- to twelve-month program that includes intensive court supervision, drug treatment, and educational and employment services.⁵⁷
- ◆ In 2008 there were 30 Juvenile Hearing Boards in Rhode Island that served 32 of Rhode Island's 39 cities and towns. The Providence Juvenile Hearing Board was not active in 2008, and seven communities in Rhode Island did not have Juvenile Hearing Boards (Jamestown, Little Compton, New Shoreham, North Providence, Richmond, South Kingston and Tiverton). Comprised of volunteer community members, these Boards permit the diversion of juveniles accused of status offenses or misdemeanors. Sanction options in this process include community service, restitution and counseling. A total of 789 cases were heard before Juvenile Hearing Boards in 2008.⁵⁸

THE JUVENILE PROBATION SYSTEM IN RHODE ISLAND

- ◆ Juvenile Probation and Parole, part of the Juvenile Correctional Services Division of DCYF, works to rehabilitate youth in the community to ensure public safety and full compliance with court orders and conditions of probation. Adolescents are placed on probation by the Family Court either as an alternative to incarceration at the Training School or as the final part of their sentence after being incarcerated at the Training School. Parole is not currently used for youth in Rhode Island.⁵⁹
- ◆ On December 29, 2008, there were 1,259 youth on the DCYF probation caseload. One-quarter (24%) of youth on probation were ages 11-15, 50% were ages 16-17 and 26% were ages 18-21.⁶⁰ Almost half (45%) of youth on probation were White, 26% were Black, 2% were Asian, 3% were more than one race and 23% were of unknown race. More than one-quarter (27%) of youth were identified as Hispanic. Hispanic youth are also included in the other race categories.⁶¹

YOUTH ON PROBATION IN RHODE ISLAND CORE CITIES, DECEMBER 29, 2008

CITY/TOWN	NUMBER OF YOUTH ON PROBATION
Central Falls	46
Newport	35
Pawtucket	145
Providence	419
West Warwick	41
Woonsocket	71
<i>Core Cities</i>	<i>757</i>
<i>Remainder of State</i>	<i>454</i>
<i>Rhode Island</i>	<i>1,211</i>

Source: Rhode Island Department of Children, Youth and Families, Rhode Island Children's Information System (RICHIST), December 29, 2008. Data are a point-in-time snapshot of youth on probation on December 29, 2008. Out-of-state youth on probation in Rhode Island are not included in this table.

THE JUVENILE DETENTION ALTERNATIVES INITIATIVE (JDAI)

- ◆ The Juvenile Detention Alternatives Initiative (JDAI) of the Annie E. Casey Foundation is a collaborative process of system reform focusing on reducing inappropriate and unnecessary juvenile detentions, reducing the number of youth who fail to appear in court or re-offend pending adjudication, redirecting public funds to effective strategies, and reducing disproportionate minority contact with the system.
- ◆ JDAI works using a set of interrelated strategies, including: collaboration among system stakeholders, use of data, risk assessment instruments for making objective detention decisions, operation of non-secure detention alternatives, improving case processing efficiencies, improving conditions of confinement, safe reduction of special populations, and increasing racial/ethnic fairness.
- ◆ JDAI has been implemented in over 100 jurisdictions across the U.S. and has shown that communities can improve their detention systems without sacrificing public safety and at significantly lowered costs.
- ◆ Rhode Island has been invited by the Annie E. Casey Foundation to move ahead with becoming a JDAI site. As part of this effort, a group of core stakeholders, including the Family Court, the Department of Children, Youth and Families, the Public Defender's Office, the Attorney General's Office, the Rhode Island Justice Commission, Rhode Island KIDS COUNT, law enforcement, community-based providers and youth development organizations have been working together to review Rhode Island's juvenile detention policies and procedures.

Source: Annie E. Casey Foundation. (n.d.). JDAI Helpdesk: About JDAI. Retrieved July 13, 2009 from www.jdaihelpdesk.org



JUVENILES TRIED AS ADULTS

- ◆ Youth tried and sentenced in the adult court system are more likely to re-offend and to commit future violent crimes than youth handled in juvenile systems for equivalent offenses. Counseling, therapeutic services, job training and educational services form the basis of rehabilitation in youth correctional environments. Youth placed in adult correctional facilities are less likely to receive appropriate services.^{62,63}
- ◆ Behavioral research shows that most youth offenders will stop breaking the law as part of the normal maturation process and that adolescents are less able than adults to weigh risks and consequences of their actions and to resist peer pressure. Research also shows that judgment and decision-making skills do not fully develop until the early 20s.^{64,65}
- ◆ When a juvenile has committed a heinous and/or premeditated felony offense or has a history of felony offenses, the Rhode Island Attorney General may request that the Family Court Judge waive jurisdiction so that the juvenile may be tried as an adult in Superior Court. Waiver of jurisdiction is mandatory for juveniles age 17 or older who are charged with murder, first degree sexual assault or assault with intent to commit murder.⁶⁶ In 2008, the Rhode Island Attorney General's Office filed 28 motions to waive jurisdiction to try juveniles as adults (7 mandatory and 21 discretionary waivers). In 2007, there were 19 waivers filed (three mandatory and 16 discretionary), in 2006 there were 21 waivers filed (seven mandatory and 14 discretionary), and in 2005 there were 14 waivers filed (three mandatory and 11 discretionary).⁶⁷
- ◆ A juvenile in Rhode Island may also be “certified,” allowing the Family Court to sentence the juvenile beyond age 19 if there is otherwise an insufficient period time in which to accomplish rehabilitation. The sentence is served at the Training School until age 19, when the youth can be transferred to an adult facility, if the court deems it appropriate. There were two discretionary certifications in Rhode Island in 2008.^{68,69}



AGE OF JURISDICTION FOR THE RHODE ISLAND FAMILY COURT

- ◆ The Rhode Island Family Court has jurisdiction over delinquent and wayward children and youth under age 18. Between July 1 and November 8, 2007, there was a temporary change in the law establishing the age of jurisdiction of the Rhode Island Family Court. The maximum age at which youth could be brought before the Family Court was lowered from 18 to 17 and the maximum age for continued monitoring by the Family Court was lowered from 21 to 19. This resulted in approximately 500 17-year-olds being charged and tried in adult courts during this 4-month period. As of November 2007, the age of jurisdiction for Family Court was increased back to 18, with continued monitoring possible until age 19.^{70,71}

NATIONAL JUVENILE JUSTICE RESOURCES

Annie E. Casey Foundation:
Juvenile Detention Alternative Initiative (JDAI)
www.aecf.org/MajorInitiatives/JuvenileDetentionAlternativesInitiative.aspx

Act for Juvenile Justice
www.act4jj.org

Campaign for Youth Justice
www.campaign4youthjustice.org

Coalition for Juvenile Justice
www.juvjustice.org

Justice Policy Institute
www.justicepolicy.org

MacArthur Foundation: Models for Change
www.modelsforchange.net/index.html

National Juvenile Justice Network
www.njjn.org

Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice
www.ojjdp.ncjrs.org



RECOMMENDATIONS

PREVENTING JUVENILE JUSTICE SYSTEM INVOLVEMENT

- ◆ Increase access to community-level family-based interventions that provide comprehensive case management and services to youth and their families, including mental health services, behavioral interventions and substance abuse treatment.
- ◆ Ensure that high-quality after school and summer youth development and employment opportunities are available. Increase access for children and youth in high-poverty neighborhoods.

SCHOOLS AND JUVENILE JUSTICE

- ◆ Ensure that all students in Rhode Island receive a high-quality education and learn the skills they need to succeed in school. For students who struggle, ensure that educational supports and special education services are available, especially for students at risk of juvenile justice system involvement.
- ◆ Handle attendance problems and behavioral issues in schools in ways that re-engage students in their school communities, enabling school resource officers to focus on preventing serious crimes in schools.
- ◆ Improve school and district capacity to reintegrate youth returning from the Rhode Island Training School into the school environment.

DETENTION REFORM

- ◆ Implement detention reform efforts in Rhode Island, including launching the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI) and implementing an objective risk assessment instrument for making detention decisions, in order to reduce unnecessary detentions.
- ◆ Increase the availability of best-practice community-based alternatives to secure detention, including juvenile hearing boards, restorative justice programs, day and evening reporting centers, multi-systemic therapy, and other evidence-based programs.

IMPROVE SERVICES FOR YOUTH INCARCERATED AT THE RHODE ISLAND TRAINING SCHOOL AND THOSE RETURNING TO THEIR HOME COMMUNITIES AFTER INCARCERATION

- ◆ Monitor discretionary waiver motions to try youth as adults to ensure they are being used only when necessary.
- ◆ Comply with the cap on the Rhode Island Training School to eliminate overcrowding so that all youth are housed in a safe manner and can receive appropriate levels of services for their needs.
- ◆ Reduce the secure confinement of girls at the Rhode Island Training School for wayward (misdemeanor) offenses, and instead address their needs in community-based settings.
- ◆ Expand partnerships and connections between Juvenile Probation, other state agencies and community-based providers to ensure that all youth who are on probation receive the services they need to remain safely in their communities and to become productive and responsible young adults.

REDUCE MINORITY DISPROPORTIONALITY AND IMPROVE CULTURAL COMPETENCE

- ◆ Build upon and expand efforts to address disproportionate minority contact in Rhode Island juvenile justice systems. As part of this work, improve data collection and data capacity at all points in the system in order to better identify solutions and improve monitoring of disproportionate minority contact.
- ◆ The U.S. Office of Juvenile Justice and Delinquency Prevention recommends that juvenile justice agencies hire, promote, and retain at all levels qualified, culturally competent personnel who belong to the minority groups that these agencies serve. Translation services should also be provided to youth and their families so that non-English speakers are able to communicate, feel comfortable, and understand their full rights.

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Rhode Island KIDS COUNT Staff

Elizabeth Burke Bryant, Executive Director
Catherine Boisvert Walsh, Deputy Director
Leidy Alves, Administrative Assistant
Leanne Barrett, Policy Analyst
Jill Beckwith, Policy Analyst
Dorene Bloomer, Finance Director
Elaine Budish, Research Analyst
Raymonde Charles, Communications Coordinator
W. Galarza, Executive Assistant/Office Manager
Stephanie Geller, Policy Analyst
Jessica Mack, Policy Analyst
Ettya Fremont, Intern, Brown University
Emma Reidy, Intern, Brandeis University
Kyla Wilkes, Intern, Brown University

Rhode Island KIDS COUNT

One Union Station
Providence, RI 02903
401-351-9400
401-351-1758 (fax)
rikids@rikidscount.org
www.rikidscount.org



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