

Issue Brief: Proven Alternatives to Detention and Secure Placement of DC's Youth
Washington DC Juvenile Justice Advisory Group
Approved September 5, 2023

Research on juvenile justice shows that community-based treatment and programs are generally more effective than incarceration or residential placement in reducing recidivism, even for serious or violent offenders¹. Many studies show that youth who are incarcerated are more likely to recidivate than youth who are supervised in a community-based setting, or not detained at all. Juvenile justice research documents that confining youth interrupts normal adolescent development and can contribute to recidivism when a young person might have naturally aged out of delinquency.²

Key Recommendations

1. Limit the use of hardware secure settings for detention or secure placement, both pretrial and after commitment to DYRS, to youth who pose at least a moderate risk of committing another violent act according to a validated risk assessment tool that considers the youth's strengths and needs.³ In general, needs, rather than risk, should not lead to detention for youth, especially since the Youth Service Center is not a treatment facility and is not designed to house youth long-term nor meet their long-term service. Engage all system partners, including the DC Superior Court, [Court Social Service Division](#) (CSSD), and the Office of the Attorney General for DC (OAG), to share best practices about detention, secure placement, and assessment.
 - a. Pretrial detention: Define and apply criteria in existing legislation. Further, analyze CSSD's current application of a validated risk assessment tool⁴ to ensure application with fidelity, and consistently track application moving forward as described in recommendation 6 below.⁴
 - b. Post-commitment: Analyze DYRS's current application of the [Structured Decision Making](#) (SDM) assessment tool to ensure application with fidelity⁵, and consistently track application of tools moving forward as described in recommendation 6 below.

¹ Kathleen R. Skowyra and Joseph J. Cocozza, [Blueprint for Change: A Comprehensive Model for the Identification and Treatment of Youth with Mental Health Needs in Contact with the Juvenile Justice System](#), National Center for Mental Health and Juvenile Justice, Policy Research Associates, Inc., (2007), at 38-9.

² [The Costs of Confinement: Why Good Juvenile Justice Policies Make Good Fiscal Sense](#), Justice Policy Institute, (May 2009), at 16. Barry Holman and Jason Ziedenberg, [The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities](#), Justice Policy Institute, (2006), at 6

³ The Office of Juvenile Justice and Delinquency Prevention's Model Program Guides on [Alternatives to Detention and Confinement](#) and [Risk/Needs Assessment](#) emphasize the need for valid risk/needs assessment tools to inform decisions to detain youth throughout system involvement. CJCC applies the National Institute of Corrections' [Evidence-Based Decision-Making](#) as best practice for detention decisions. This standard emphasizes that using risk and needs assessments to guide decisions regarding pretrial release, diversion, and sentencing helps to reduce recidivism and enhance public safety.

⁴ Center for Court Excellence. [Guide](#) to DC Juvenile Justice System, (June, 2009)

⁵ DYRS is transitioning to the YLS risk-needs-responsivity tool. At the time of this report, SDM was still being used and YLS was not fully implemented.

- c. Conduct an evaluation to determine whether CSSD and DYRS are using the best risk assessment/decision-making tools and, if they are, if the tools need to be revalidated.
2. Partner with OAG, Department of Human Services (DHS), SchoolTalk, DYRS, the Office of Neighborhood Safety and Engagement (ONSE), and other restorative justice providers to replicate and expand restorative justice and violence interruption programs as an alternative to detention, secure placement, or prosecution when appropriate. Fully and sustainably fund effective restorative justice programs⁶, such as balanced and restorative justice and community conferencing, and violence interrupters. Implement these programs with transparent tracking to measure effectiveness and fidelity as described in recommendation 6 below. Pending evidence of success⁷, change policy and law to require restorative practices in all cases when risk and needs assessment suggest it is appropriate.
3. Fully and sustainably fund and implement the community-based recommendations outlined in the JJAG's [Create New Opportunities for 'Persons in Need of Supervision' to Succeed Without Legal System Intervention](#) report, targeting equitable, low-barrier access to services across the District and with no wrong door to access services. Recommendations include:
 - a. Respond to status offense behavior in the community rather than through the court. Expand this recommendation from the PINS report to provide the same community services to all youth as an alternative to detention where appropriate.
 - b. Create school-based and community-based hubs where youth and families can access services across the spectrum to meet their needs.
 - c. Build safe and securely located respite centers.⁸
 - d. Engage mobile response teams to conduct outreach with youth in potentially dangerous situations in the community and transport them to home or services as needed, without engaging law enforcement.
 - e. Establish a 24-hour, text-capable hotline to access services, transportation, or support.
 - f. Ensure a continuum of aligned, accountable service providers, including after-school programs and restorative practices providers, who are trained and funded to effectively provide the services youth and families need.
 - g. Require training for adults who interact with youth throughout the District's agencies in cultural competence, ACEs, positive youth development, adolescent brain science, and youth-adult partnership.

⁶ [Effective Alternatives to Youth Incarceration](#). The Sentencing Project, (June 2023).

⁷ [Mayor's Order 2023-061](#) requires an assessment of violence prevention and intervention programs across the city and requires an impact assessment be completed to support effective implementation and consolidation.

⁸ This recommendation also aligns with Mayor's Order 2023-061, particularly the Deputy Mayor for Health and Human Services' charge to explore respite care for youth at risk of juvenile justice system involvement.

4. Fully and sustainably fund evidence-based youth and family development supports, distributed equitably across the District, especially credible messenger [mentoring](#)⁹ (or advocate/mentor programs), recreation, and employment to provide District youth, including those involved in the youth justice system, with proven crime-reduction interventions.
 - a. Support parents and guardians continually, starting early in the lives of children, especially with safe and stable housing and employment, which is proven to reduce future system involvement and detention for youth.
 - b. Assess and expand access to PASS, ACE, year-round youth employment, modeled on the Summer Youth Employment Program (SYEP), and other existing programs as described in recommendation 6 below¹⁰.
5. Equitably fund mental healthcare providers and social workers in every library, recreation center and school across DC to identify and address trauma and related needs of children and families as early as possible.
 - a. Assess equity of existing funded positions for school-based mental health.
 - b. Support expanded education, career development, and recruitment in these fields, using the career development, recruitments and incentives used by MPD.
 - c. Expand access to multisystemic therapy (MST) and/or family functional therapy (FFT) as appropriate¹¹.
 - d. Implement cognitive behavioral therapy¹² + mentoring, such as Becoming a Man¹³, as appropriate.
6. Create mechanisms for transparency and accountability of the executive branch and community-based organizations to ensure full implementation and high quality of recommended services and supports.¹⁴
 - a. Fund CJCC to immediately conduct an initial assessment and then to implement consistent, transparent tracking of practices and outcomes, and require all relevant agencies to comply with data requests, including:
 - i. Administration and application of current decision-making tools guiding detention decisions, to answer these questions: Are agencies implementing existing law and decision-making tools with fidelity? How often are case workers overriding decision-making assessment tools in detention decisions, and are these overrides resulting in more detentions or longer detentions? Are agencies detaining youth with high needs

⁹ The Sentencing Project (June 2023).

¹⁰ [Mayor's Order 2023-061](#) requires an assessment of intervention programs across the city and requires identification of employment pathways for at-risk individuals.

¹¹ Effective Alternatives. Sentencing Project.

¹² Ibid.

¹³ [A Study of the Root Causes of Juvenile Justice System Involvement](#). Criminal Justice Coordinating Council for the District of Columbia, (November 2020).

¹⁴ [Mayor's Order 2023-061](#) outlines a need for standard performance metrics and outcomes.

because of a perceived or real lack of resources to meet those needs at a lower level of supervision, i.e. in the community?

- ii. Compare the need demonstrated by youth and families for appropriate and targeted restorative justice and violence interruption services¹⁵ and community-based services, as identified by youth-serving agencies, such as DBH, DHS, OAG, CSSD, and DCPS, with the capacity of DC agencies to meet those needs, as evidenced by waitlists or failure to connect youth and families with the identified services.
 - iii. Effectiveness and fidelity of practices in credible messenger and restorative justice programs, both administered and funded by the District, to answer the following questions: Are all programs well-suited to the youth and families referred to them? Do agencies or programs have unnecessary barriers that keep youth and families from engaging? Are staff well trained to serve youth and families in DC? Are programs implementing policies and practices as designed and tested? Are programs achieving results that match or exceed the anticipated results?
- b. Build networks of support, collaboration and data-sharing across agencies and community-based service providers that protects youth.

¹⁵ [Mayor's Order 2023-061](#) requires an assessment of violence interruption programs across the city.