



BEFORE IT'S TOO LATE

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A report to the After School Project
of the Robert Wood Johnson Foundation

By Tony Proscio

We simply were not reaching a great many kids who are going to commit really serious, really violent crimes. For those children, if we wait until we meet them in court, we've waited way too long — too long for them, too long for the victims, and quite possibly too long for any kind of effective treatment.

— *Jeriel Heard, Director, Wayne County (Michigan) Department of Community Justice*

Summary

In the late 1990s, facing soaring costs in juvenile justice and dismal results in fighting youth crime, Wayne County, Michigan, launched a sweeping overhaul of its delinquency enforcement and prevention system. At the core of the plan was an abrupt shift from reliance on high-security reform schools and detention facilities to a system of community-based treatment, rehabilitation, and reparations. In the new arrangement, significantly more young offenders are being assigned to parental custody at home or to family foster care, and are being monitored with frequent visits by nonprofit service agencies, backed up with electronic “tethers” and voice-monitoring systems.

The point of the program was not just to rein in the mounting cost of juvenile lock-ups. More important, it aimed at reducing the odds that today’s juvenile offender will be tomorrow’s adult criminal. Not long before the county overhauled its system, a state report had found that more than 60 percent of adjudicated delinquents reappeared in adult courts within five years. Even more chilling, a county study soon thereafter found that, among young people charged with the most violent crimes, close to 70 percent had not previously been touched by the system *at all*. In other words, not only was the county failing to rehabilitate the children it knew were criminals,

but it was failing even to notice children who would someday commit the gravest juvenile crimes.

To combat these failings, Wayne County’s first step was to treat adjudicated youngsters more quickly, with better diagnosis of their underlying problems and more effective remedies. It partitioned the county into five regions, and in each region entered into a contract with a nonprofit “Care Management Organization” — a case-management and subcontracting agency that would in turn arrange for other organizations to provide supervision and services to each young offender in that region. The services would be based on a detailed psychosocial assessment of every offender, and would aim — within strict cost boundaries — at combating the most likely sources of delinquency in each case. Prominent on that list of sources, in a great many instances, was drug abuse. Henceforth, every young offender would be tested for illegal drugs, and contracting agencies would be rewarded financially if those who tested positive stayed off drugs for at least three months.

The system of performance rewards went further. Service agencies could get bonus payments for assigned clients who held a job, who stayed in school and improved performance in reading and math, or who didn’t commit new crimes in a designated period. But the agencies would also

be charged cash penalties for serious recidivism or for rendering inappropriate levels of service.

Once the “care management” system was in place, the county turned increasing attention to programs aimed at young people who were not yet adjudicated, but who lived in high-crime communities or were otherwise judged “at-risk.” One significant “at-risk” effort started in the courthouse: In the past, when parents, teachers, or police brought low-level complaints against young people to the juvenile courts, their complaints had usually been turned away on the grounds that the system was already overburdened with graver matters. Henceforth, the county would *welcome* those complaints, and encourage its Care Management Organizations to refer such youngsters to after-school and other delinquency-prevention programs in their communities. The county would even pay a small per-diem fee to those programs for accepting the referrals.

Meanwhile, county officials aggressively sought new grants, particularly from the federal government, to start or expand after-school programs, truancy enforcement, and in-school social work in neighborhoods with the highest juvenile crime rates. The theory behind these efforts — as in the rest of the reformed system — was that earlier intervention, with activities that bonded children more

closely to school and community, would gradually prevent crime and save money.

At this writing, the reformed Wayne County system is barely two years old. It is far too soon to say whether it is successful in any profound or lasting way. Short-term results, to be sure, are highly encouraging. New referrals to secure detention have been cut by two-thirds. The number of escaped or missing youth in the juvenile justice system has been reduced by 80 percent and is still falling. New rehabilitative services are multiplying — including the county’s first-ever residential treatment program for juvenile addiction. And costs are down sufficiently to allow the county not only to pay for these significantly higher levels of treatment, but to begin modest funding of preventive efforts like after-school programs in selected neighborhoods.

What began as a fiscal problem for Wayne County has, it appears, turned into a national experiment in offering juvenile justice treatment and prevention in a way that is both more effective and less costly. The following pages describe the vision behind that experiment, the early steps that have been taken thus far, and some of the challenges that lie ahead.

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Part I

“We Can’t Do Worse Than This”

WAYNE COUNTY Executive Edward H. McNamara, a former telecommunications official, is not a judge, a social worker, or a lawyer. Under ordinary circumstances, neither his formal training nor his experience would lead him to second-guess the county's sentencing and treatment plans for juvenile offenders, much less to invent new prevention programs for young people at risk of delinquency. Yet in 1997 his chief responsibility as county executive, balancing the county budget, began to make all of that necessary.

Piecing together the roughly \$2 billion budget of Michigan's largest county, home of Detroit, McNamara found himself in this predicament:

- **County expenditures on out-of-home detention, treatment, and discharge of juveniles had reached \$45 million annually, and were climbing between 10 and 20 percent a year. All told, the state and county were spending upwards of \$100 million a year on delinquent youth, and the cost was soaring.**
- **County revenues, meanwhile, were based on slow-changing property taxes, rising no faster than 3 percent in the best years, and often less.**

■ **Up to that point, for legal and fiscal reasons, juvenile justice policy had been almost entirely in the hands of the state's Family Independence Agency, not its 83 county governments. But the counties nonetheless paid up to half of the escalating bill, with the remainder paid by the state.**

■ **Longstanding state policy had relied principally on severe, high-security detention as the standard response to most juvenile crimes. In Detroit, close to 80 percent of first-time youthful offenders did time in a state lock-up. This pattern was only strengthened by the mid-'90s alarm over a supposed wave of youthful "superpredators" massing on the demographic horizon.¹ Partly in response, Michigan Governor John Engler had launched a statewide construction program for what he dubbed "punk prisons," preparing to lock up substantially more juvenile offenders.**

■ **The cost of keeping a young person in such facilities was at least \$250 a day, and rising fast.**

Alarmed at the rising costs, McNamara asked the county's Department of Community Justice (DCJ) what all this money was buying. The depart-

ment's director, Jeriel Heard, was fully prepared with an answer. As it happens, state analysts had examined that very question not long before, and what they found was appalling: Within five years, nearly two-thirds of the young people released from juvenile detention were serving time in state prisons as adults. Heard recalls McNamara's reaction to the state data:

That was just a terrible outcome for that kind of expenditure. And it was growing at three times our revenue growth. The system wasn't just overpriced, it was negligent. For one thing, the state had never sought to increase community-based services that addressed the risk factors in children's lives — the availability of drugs, for example, or mental illness, or learning disabilities, or the prevalence of gangs, and so on.

So the county executive [McNamara] said to me, "Can't we create a better human investment system than this?" And I said, "Absolutely." Frankly, there wasn't a lot of risk in my saying that. I didn't see how we could possibly create a much more *ineffective* system.

In 1997, a state Supreme Court ruling gave counties the authority to take control of the system, the result of litigation that had been going on for 15 years. And

¹ The "superpredator" scare is sometimes mischaracterized as an invention of the American political Right. Fear of a juvenile crime wave was in fact widely distributed across the political spectrum until late in the decade. For example, liberal commentator Susan Estrich, a leader of the 1988 Dukakis presidential campaign, wrote in *USA Today* in 1996: "Don't be fooled by the rosy numbers in this week's crime reports. The tsunami is coming....Juvenile crime is going up and getting worse." A *Time* magazine headline that same year warned of a "teenage time-bomb."

the Wayne County Executive had the authority to designate an agency for juvenile justice services. So he designated my department to take on the delivery of juvenile justice services in Wayne County. And we got started.

For years, people familiar with Wayne County's juvenile justice morass had been clamoring for reform, but with little effect. Dale Yagiela, the director of a nonprofit organization that is today one of the keystones in the county's new system, wrote this critique in 1993, four years before McNamara and Heard started their overhaul:

At the heart of the matter has been the county's inability to focus its energies and resources on juvenile justice problems in a consistent and progressive manner. The county's effort has gone in fits and starts, distracted by other issues and political considerations...As it stands now, the cost of due process and [secure] housing devours virtually all the resources available for juvenile justice within the county and in Michigan.... A new theory base is required that features early intervention [and] use of nonformal community-based attempts to alter behavior prior to involvement in the formal juvenile justice system, and

looks to parents and the community as major actors in addressing delinquency.²

As in past reform efforts, "political considerations" didn't take long to emerge. Opposition to the county's initial plan was fierce. Public employee unions resisted what they viewed as the privatization of a public responsibility (and, in some cases, of their jobs). Some conservatives regarded the more therapeutic elements of the reform plan suspiciously, fearing that young criminals would be coddled rather than punished. Some nonprofit groups feared the heavy hand of state rule-making and quality standards interfering with the integrity (and in some cases, the funding) of their services. A few Democrats opposed the plan merely because it had the approval of the Republican governor. The chair of the state's House Appropriations Committee initially told *The Detroit Free Press* that "hell will freeze over before I report the bill out of committee."

McNamara was unfazed. "Of course, we're being accused of privatizing, which is a dirty word," he told the newspaper. "But it's true. We are privatizing. In this case, it's the only way to make the system work."

Making an Ally of the Courts

By designating DCJ as lead agency in the new system, McNamara wasn't just choosing a logical bureaucracy to handle juvenile justice matters. (It was certainly the logical bureaucracy: DCJ had started its existence by reducing overcrowding of adults in the county jail, a job it accomplished by creative use of out-of-jail treatment and training programs.) He was also deliberately picking a tenacious reformer. Heard's frustration with the old system, its inequalities and wastefulness, its spiraling costs and seeming indifference to results, made him impatient and passionate.

He was also in an unusually strong position for dealing with the first, and usually most impregnable, barrier to reform: juvenile judges and prosecutors. "The Court," wrote Dale Yagiela in his 1993 critique, "has successfully fended off serious challengers to its autonomy for over 100 years." Judges' preoccupation with lengthy due process and their desire to control every aspect of sentencing and punishment, Yagiela wrote, made it almost impossible for service professionals, families, and communities to

2 Dale F. Yagiela, "Juvenile Justice Plan for Out-Wayne County," unpublished manuscript, Nov. 9, 1993, pp. 6-8.

I *A key early challenge: Winning the trust of judges and prosecutors*

design effective treatment or restitution plans. For example, to deal with any changes in an offender's needs or behavior, county officials would have to go back to court and endure new petitions, re-hearings, deliberations, and delays. They rarely bothered.

But Jeriel Heard had one advantage in cracking the court system's traditional prerogatives that previous reformers had lacked: Judges trusted him. In the years when DCJ was working to reduce adult incarcerations, Heard grew close to judges and court administrators, winning their confidence with constant consultation and responsiveness to their needs. His success in the adult effort had impressed them, especially when they saw the result: Their workload went down, sentencing options actually increased, and defendants' rights were protected. He offered court officials a similar vision of juvenile sentencing:

We worked through [the Office of] Court Administration to show that giving us more authority would reduce the courts' workload — by reducing recidivism, they would see shorter dockets, fewer rehearings and changes of sentence. And to prove our case, the first thing we did was reduce the number of AWOLs [children

failing to abide by their sentences], and that actually appealed to the judges' sense of authority. Now someone was really enforcing their orders! So from there, it was easier for them to let an executive-branch agency make more decisions about treatment, based on objective, consistent, clinical considerations rather than the different perceptions of individual judges.

A 'System' in Name Only

With political hurdles cleared and the courts cautiously supportive, Wayne County set out first to put an end to the obvious defects in the state system, and then to build something far more ambitious. Among the defects that particularly riled county administrators were these:

MINIMAL CONTROL: Among the minority of young offenders who were not incarcerated, state supervision and rehabilitation was irregular at best. As of 1997, there were some 1,000 young people in Wayne County who were technically under the supervision of the state but were in fact completely unaccounted for. "Kids would wander off," says Heard, "and the court would

issue a warrant, but otherwise there'd be no attempt to find out what was going on, or where they were. Unless they were re-arrested, they were simply lost." These were the "AWOL" youth whose disappearance had so frustrated Wayne County judges.

MINIMAL STRUCTURE: Those who were not "lost" were often dealt with in cursory or uncoordinated programs. Most contact between young people and state case workers or supervisors came in five-minute-long surveillance contacts or in treatment programs that rarely amounted to more than two hours a week. Many "low-security placements" — say, institutional foster care or group homes — were in the same rough neighborhoods where residents had committed their first crimes, yet their lives were hardly more structured in state care than they had been at home. With virtually no coordination between juvenile justice officials and public schools, truancy among youthful offenders was rampant, and graduation rates minuscule. Service agencies, says Heard, "didn't even drug-test them. Drugs may well have been at the root of the problem for many of the kids, and many of them

were continuing to use drugs while in state care, but the agencies supposedly responsible for treating them had no way of knowing that unless the kids chose to tell them.”

MINIMAL ACCOUNTABILITY:

Contracts with social service agencies in juvenile justice (as in many other areas) were routinely hammered out in Michigan’s political arena, not in objective competitions. Larger agencies typically approached the Legislature directly for funding and service contracts. Under those contracts, among other things, they had the right to select the young people they would serve with state money. Those not selected would routinely be sent to secured detention facilities where they would receive little therapeutic or rehabilitative care. Although some offenders were passed over because they were the most troubled and the hardest to deal with, others ended up in detention facilities simply because there were not enough available service slots in the agencies that were supposed to work with them. “It was like an auction,” says Heard. “The private [agencies] would come to the table with a stake, and they could pick and choose which children they were

interested in serving.” Even when an agency did accept a young person for treatment, that person would frequently spend three months with no treatment in a top-security facility, sometimes longer, while the state processed the referral.

MINIMAL OPPORTUNITY: One especially grating side-effect of what Heard called the service “auction” was that African-American young people from low-income families were the most likely to be stuck in detention. For these youngsters, the message about their future could not have been more clear: They came from troubled, often violent, neighborhoods to which they would be unceremoniously returned. Their families were typically under stress, and sometimes weren’t eager for them to come home (especially after the unwholesome influence of a state facility). And now, even those agencies responsible for working with juvenile delinquents preferred not to bother with them. “Anyone in that situation,” says an employee of a social-service agency, “would have to conclude that the mainstream world wants no part of them, and the only opportunity out there is in crime.”

MINIMAL PREVENTION: As faulty as the correction system was, it at least could be called a “system.” There was, in effect, no organized approach to preventing juvenile crime, other than a variety of community-based youth programs that were not aimed primarily at potential criminals. These programs — many of them excellent — no doubt helped divert many children from delinquency. But as a director of one such program pointed out, “we work with a lot of kids that still have someone who cares about them — that’s often how they get to us. If a kid is already seriously alienated or antisocial and starting to make trouble, they may never get to our door before the police get them first.” One common situation perfectly illustrates the lack of a preventive strategy: Worried parents frequently turned to police or juvenile courts for help in dealing with “incorrigible” youngsters — in effect asking the court to help impose discipline or find skilled professionals to work with their children. Typically, police, prosecutors, and court administrators turned away such requests out-of-hand — thus ignoring a reliable advance warning that a child would likely be in the state’s jurisdiction before long.

As the system performs better, money becomes available for use ‘upstream,’ to combat sources of crime like isolation and idleness after school.

Police and schools, according to Heard, could readily identify troublesome youngsters whose low-level misdemeanors, tough circle of friends, regular hangouts, and frequent truancy promised greater problems to come. Yet there was no clear channel in the criminal justice system for dealing with any of this. In fact, given the system's propensity to lock up youthful offenders in dead-end detention facilities, it would hardly be beneficial for these youngsters or their families if the courts *did* agree to deal with them. The only hope was that traditional youth service programs might reach these youngsters in time. But if they did, it would be without much support, practical or financial, from the juvenile justice system.

Working Smarter — and Sooner

The Department of Community Justice started with the premise that a rational juvenile corrections system would make what Heard called a “structured risk/needs decision” on every adjudicated youth. In other words, every convicted young person, upon leaving court, should be treated as an indi-

vidual with his or her own mix of strengths and needs, presenting and facing a specific set of risks. Where the old system either delivered these young people into institutional care or left their service plan up to the vagaries of the “auction” system, Wayne County set out to build an orderly process for matching each youngster to a specific combination of services, penalties, and therapy that would lower the odds of future criminal behavior.

Not only would such a system deliver better results for adjudicated delinquents and the juvenile courts, it would help the county rein in its mounting costs. It would, Heard believed, make it possible to divert some money toward preventive programs that would eventually save even more, by reducing future delinquency. The long-term cost controls would come, first, by drastically reducing the number of young people in secured facilities and other unnecessary out-of-home placements. The goal wouldn't be merely to place offenders in less expensive accommodations, but far more important, to send them to programs that root out the causes of criminal behavior — especially drug use, neglect at home, and incipient mental illness.

Second, as a result of attacking these causes, savings would come from reducing the amount of time a young person remained under government supervision. That reduction would come not just from effective rehabilitation, but also from more meaningful *punishment*. The program's commitment to “restorative justice” — a regimen of tangible corrective action and community service — would give offenders more constructive ways of paying back the people and communities their crimes had injured. While the old system had punished them simply by subtracting months or years from their lives (crucially formative years at that), the new system would put them to work restoring the harm they had done to themselves and their neighbors.

In the system that took effect in early 2000, decisions about every youthful offender are now made in a uniform system largely divorced from politics. For each youth, within limits set by the court, a case manager draws up a plan for supervision, care, and rehabilitation in discussions with the offender. The case managers work for regional Care Management Organizations (CMOs), under contract with the county, each of which is responsible for a geographic area containing roughly

one-fifth of the county population.

The CMOs in turn enter into contracts with various specialized non-profit service organizations that house, supervise, treat, or counsel young people according to the service plan drawn up at the Care Management Organization. (The plan can be, and often is, modified along the way as the service providers get to know the offenders.) Unless the court mandates secured residential care, the CMO first looks for ways that the offender can be supervised, treated, or otherwise served while remaining at home with family. Where the family environment isn't suitable, or where youth need more constant supervision, they may be placed in foster care or group homes in residential neighborhoods, rather than in high-priced lock-ups. Some, inevitably, will need to be in secure facilities.

Whatever the plan, the nonprofits receive payments not in response to political decisions in the legislature or county commission, but according to the level of care and security required by each service plan. These payments are based on the daily cost of different treatment tracks, plus a small mark-up for the Care Management Organization's overhead. The markup

is calibrated to ensure that the managers have little or no fiscal incentive to prescribe one form of treatment over another. Although they are paid more for high-security placements than for in-home care, that's only because such placements are more expensive to provide. The net revenue to the CMO for prescribing one form of care is not materially different from that for another.

Rewards and Penalties

There is no "auction." Care Management Organizations must accept every adjudicated youngster in their geographic area, without exception, and must find an appropriate placement with a service agency for each case. The service agencies and CMOs are then both held to a strict system of fiscal bonuses and penalties. For example, if a young person tests positive for drug use at the time he or she starts the program, a service agency can earn an additional \$250 above the contract rate if that youth continually tests negative for 90 days. If the young offender is employed for at least 90 days in a 180-day period, the agency can earn another \$250. There

are other bonuses for improved academic performance and "consumer satisfaction." But there's also a downside. Agencies must pay a cash penalty, from \$250 to as high as \$1,500, if a young person is moved from community-based to residential care, or if he or she commits another felony. (For a close-up look at how the service and contracting system work, see the first of two case studies that accompany this report.)

Naturally, some cases will create more penalties than bonuses. Some young people won't respond to help or correction. Some will attempt escape, others will commit new crimes. These offenders will need to end up in secured residential settings, at high cost. But all of that was true in the old system as well. The difference is that, in the old system, *most* young offenders were treated as if they fell into that category. And the state effectively paid bonuses every day, in the form of high residential per-diem costs, for virtually no measurable progress. Many young offenders who could have been treated more effectively, less expensively, with more lasting results, and with more opportunity to make amends to society, were simply lumped into detention cells and left to serve time. Others,

more fortunate, did receive some services — though not necessarily the services they needed most, or ones that would most likely lead them away from a life of crime.

The most glaring example, says Heard, involved drug abuse:

In Wayne County, until June 2001, we could not find a licensed drug-treatment agency that could implement a program [for our kids]. After all the years of rising drug abuse, the crack epidemic, and the crime wave that came with all of that, there was little if any experience here with adolescent addiction treatment. So when we started this program, beginning with youth in detention facilities, we had to ship children about 125 miles away to Saginaw for treatment. To put that in context, that's about half as far away as Chicago! Now, it's easy to say, 'if we provided effective treatment for these children,

we wouldn't be seeing them in the justice system.' Right, but first you have to have treatment programs to send them *to*. So we were starting effectively from zero.

The alternative that Wayne County has created, still in its second year as of this writing, now treats some 2,500 young offenders in the five Care Management regions, through a managed network of scores of specialized service agencies. One quick result has been a dramatic reduction in the use of secure detention and other out-of-home placements. In just 18 months in one Detroit Care Management region, such placements plunged from an average of 90 percent of all convictions to fewer than half.

Two case studies accompanying this paper provide more detail on how the Care Management Organizations work. The first describes how the Central Care Management Organiza-

tion, in the heart of Detroit, gets referrals and structures a treatment program for each young person adjudicated in Wayne County's juvenile court. The second describes how Care Management Organizations in eastern Detroit and southern Wayne County have begun to establish preventive programs that deal with young people before they've had to face a judge.

It is this latter goal — the effective anticipation and prevention of juvenile crime — that could offer the most profound lessons for both juvenile justice and youth development programs across the country. So before presenting the two case studies, the next section takes a closer look at Wayne County's approach to prevention, the problems and opportunities it confronts, and the reformers' vision of how that system could unfold over the next few years.

'In some communities, with no libraries or play fields, where drugs and gangs are rampant, what kids aren't at risk?'

Part II A Gateway to Prevention

SAVING MONEY, rewarding performance, and making rehabilitative services more effective would be noteworthy achievements in themselves. Many states and counties would probably be happy just to get that far. But what makes Wayne County's new model potentially important beyond the world of juvenile justice and corrections is its link to prevention, and particularly to community-based after-school programs that reach a wide range of young people, not just offenders.

The connection may seem obvious, but it's not. Most after-school programs aren't meant to be "corrective," in the sense that most juvenile justice services are. The best ones reinforce young people's membership in the wider community and focus their efforts on worthwhile activities — not just education and self-improvement, but also recreation and other purely fun activity that helps young people feel attached to the social life around them. For most programs, that is as much of a goal as they need — helping young people achieve more of their potential is valuable in itself, whether or not it also prevents crime. But the crime-fighting potential is clear nonetheless: The lack of these social attachments, psychologists increasingly agree, breeds

antisocial behavior and can send young people in search of more destructive social opportunities, like youth gangs or the drug underworld.

Therefore, one advantage of positive after-school programs for the juvenile justice system is precisely that they are *not* tailor-made for delinquents, but just the opposite: They reinforce young people's membership in groups *other* than those marked by juvenile crime and other social stigmas. They help young people avoid delinquency and other harmful activities by surrounding them with other young people pursuing normal, healthy lives — at whatever pace, and with whatever mix of strengths and hardships life has dealt them.

This first advantage is increasingly well spelled-out in academic research that is routinely cited and passed around throughout the reformed Wayne County system. Especially influential has been the work of criminologists J. David Hawkins and Richard F. Catalano of the University of Washington, whose theories of social development and the causes of delinquency present a detailed rationale for particular preventive activities at different stages of childhood and adolescence.³ By Hawkins' and Catalano's reckoning,

programs that draw young people into the society of law-abiding and constructive peers, adults, and families help them forge attachments and values that protect them from antisocial influences around them. These "protective factors" reinforce a young person's ability to resist the "risk factors" that surround them, especially in poor communities where the risks are most plentiful. The earlier a child forms such "protective" attachments, the more effectively that child will ward off later contrary influences. To that extent, the effects of positive "social development" programs would present a direct benefit to crimefighters.

Another advantage of such programs, perhaps more obvious, is that they cost only a small fraction of what it costs to process, supervise, and treat an adjudicated offender. Reach the right young people early enough, with the right mix of positive activities, and the fiscal savings to the county for those children could be substantial. "The later you spend your dollars," says Heard, "the more you spend."

It's not all that different from the cost structure of other problems — not just social problems, but any problems. It costs more to replace your boiler than to

3 See, for example, Catalano, R.F., and Hawkins, J.D., "The Social Development Model: A Theory of Antisocial Behaviour," in J.D. Hawkins (Ed.), *Delinquency and Crime: Current Theories*, New York: Cambridge University Press, 1996, pp. 149-197.

The after-school hours are peak time for juvenile offenses. That's when constructive activity can best prevent crime.

maintain it. It costs more to repaint your car than to keep the salt off of it. If you're going to reduce the cost of corrections and treatment, you have to push those dollars upstream, to eliminate the ripples of future problems that drive costs up.

One commonly cited estimate of this fiscal calculation comes from the law-enforcement coalition "Fight Crime: Invest in Kids," relying on research by Mark A. Cohen of Vanderbilt University: For each high-risk youth prevented from adopting a life of crime, the country saves between \$1.7 million and \$2.3 million.⁴ More importantly, a young life is saved and harm to future victims is averted.

Nationwide, state governments spend, in aggregate, between \$9 billion and \$12 billion a year on juvenile justice. As had been the case in Michigan, the great majority of that money goes into out-of-home placements, mostly in secure facilities. Less than 8 percent is spent on prevention programs for young people who are not adjudicated offenders. It is reasonably clear that many states could achieve the kinds of cost efficiencies that the Department of Community Justice and the Juvenile Court have set in motion in Wayne County. What is less clear

— even in Wayne County, as of this writing — is whether those efficiencies could be increased substantially, and communities made significantly safer, by spending some of the saved dollars on constructive activity for those who are not yet offenders.

The scheduling of such activity is crucial: The out-of-school hours, especially late afternoons and evenings when adult supervision is scarcest, are the time when most juvenile crime occurs. Simply offering young people appealing activity and friendly adult supervision is therefore a powerful crime preventive in itself. Yet almost no government law-enforcement program, whether federal or state, embraces both effective correction and prevention at once. The two tend to constitute separate fields with opposing orthodoxies, their funds and authority jealously guarded against pilfering from the other camp.

A Premium on Early Intervention

The essential logic of Wayne County's recent reforms suggests a way to bridge that divide, both in authority and in funding. The reason why the

county is achieving significant cost-efficiencies in the first years of its reformed system, despite paying cash bonuses for positive outcomes, is its effective combination of correction and prevention. The system's mix of corrective therapy and constructive supervision for young offenders apparently has brought about a sharp drop in drug use and recidivism. By getting young people expeditiously from adjudication to rehabilitation, and keeping them engaged in constructive and corrective activity, the county seems to be slowing or halting the revolving door by which the same young people would otherwise re-enter the system, either as juveniles or, even more expensively, as adults.

But in most areas of Wayne County, even under the current reforms, that form of prevention happens only after a young person has first faced adjudication and become a ward of the correction system. In a few experimental communities, however, the county's regional Care Management Organizations have begun assembling budgets for carefully targeted prevention programs, based partly on the Hawkins/Catalano model, aimed at reaching likely offenders before they get in serious trouble.

⁴ Sanford A. Newman, James Alan Fox, Edward A. Flynn, and William Christeson, *America's After-School Choice: The Prime Time for Juvenile Crime or Youth Enrichment and Achievement*, Fight Crime: Invest in Kids, 2000, p. 25.

To anyone who doubts the rationale for such a step, Jeriel Heard offers some data he compiled in mid-2001:

- **Of the roughly 100 young people facing “life offenses” charges in Wayne County in the first half of 2001 — charges that would be eligible for life sentences, including murder, armed robbery, and rape — 69 had *no prior legal status* in the juvenile justice system.**
- **Of those 69, more than three-quarters had had no prior contact with the system *at all*, not even in diversion or community-based programs that serve some minor offenders in lieu of adjudication.**

In other words, says Heard,

No matter how good our adjudication and treatment system is, we simply were not reaching a great many kids who are going to commit really serious, really violent crimes. For those children, if we wait until we meet them in court, we’ve waited way too long — too long for them, too long for the victims, and quite possibly too long for any kind of effective treatment.

Even for the much larger number of young people who commit less serious

crimes, it seems likely that a sizable percentage of these crimes could be prevented, and the longer-term causes mitigated, with a more timely intervention. “But even if you don’t believe that,” says Heard, “you’ve got to agree that there’s something wrong with a system that never sees two-thirds of its most violent offenders until it’s too late.”

‘Broken Windows’ and Juvenile Justice

This calculation has important cost implications, but the implications for public safety and effective neighborhood policing are in some ways more far-reaching and compelling. The two great law enforcement reforms of the late 20th Century — community policing and “order” policing — both argue for more attentive public response to low-level offenses and signs of disorder. The doctrine of “community policing,” of which Wayne County has made deliberate use in its reformed juvenile justice system, argues for extensive consultation between police and neighborhood residents in locating trouble spots, organizing effective responses, and zeroing in on threatening circumstances, such as the forma-

tion of gangs, that point to future problems. In the new Wayne County system, community police — reporting directly to the Department of Community Justice — help enforce truancy and curfew laws, keep tabs on young offenders serving in-home detention programs, and generally monitor communities where significant numbers of young offenders live.

“Order” policing, sometimes called “broken windows” policing, is related but not identical. It emphasizes swift response to small offenses that create an atmosphere of permissiveness and apathy about crime. In this theory, popularized in a pair of articles by criminologist George Kelling and political scientist James Q. Wilson⁵, attention to small complaints sends a message to potential offenders that “people care” about what happens in the community, and will defend their quality of life. Conversely, neglecting such offenses (a little like leaving broken windows unrepaired) creates an “anything goes” atmosphere in which petty criminality first thrives and then escalates.

In its former system, Wayne County faced a formidable obstacle to effective “order policing” of juvenile crime: The system’s main method of dealing with youthful offenders was draconian,

5 Kelling, George, and Wilson, James Q., “Broken Windows: The Police and Neighborhood Safety,” *The Atlantic Monthly*, March 1982, and “Making Neighborhoods Safe,” *The Atlantic Monthly*, February 1989.

Juvenile justice funds can pay for prevention programs — and see a return on the investment.

expensive, and already overwhelmed. Flooding that system with minor offenders — truants, for example — would have been almost impossible to justify. There simply would have been nowhere to assign the accused youth, and no money to pay for any effective treatment. Yet the price of *not* dealing with them was also high: A community that winks at truancy, Kelling and Wilson would argue, will soon find itself with bigger problems.

In that context, Jeriel Heard and his allies in the court system have sought, first, a more effective response to nonviolent youth crime, and second, a more effective way of dealing with difficult, unruly, or “incorrigible” young people even before they commit crimes. When a mother reports to the juvenile court that she is at her wits’ end with an out-of-control youngster, or when a teacher reports a chronic truant who she suspects is spending his days with a bad crowd, or when a community police officer spots signs of growing delinquency among a few neighborhood youth — those are the metaphorical “broken windows” that a wise system tries to repair immediately. But how?

In the model now emerging in Wayne County, the answer is to direct such “at-risk” young people not to

court or punishment, but to programs that may divert them away from crime. Those programs are not, in the main, creatures of the juvenile justice system, but, as Heard puts it, are “community assets — existing voluntary and faith-based programs that provide after-school activities, structured recreation, youth leadership development, the kinds of positive, supervised activity that gives kids an alternative to things that will lead them into trouble.”

By itself, that idea is not new. What’s new — and even in Wayne County, still highly experimental — is the idea that juvenile justice funds can and should *pay for* community-based prevention programs, to the extent that they serve young people who seem highly likely to end up in juvenile court. Other pioneering efforts have shown that an investment in prevention programs yields more than enough government savings to cover the programs’ cost.⁶ But even these efforts have been addressed largely to young people who have already been adjudicated for their first juvenile crime. Funding activities for young people with no arrests remains uncharted territory. Wayne County has now begun to map it.

Replacing Negatives with Positives

Thus far, three factors have served to prevent juvenile justice funds from flowing to after-school and other youth development programs that serve a wide range of young people, not just offenders. First, administrators of juvenile justice programs have been understandably wary of paying for services to young people who pose (as yet) no tangible risk of delinquency. Down that route, they say, lies an almost bottomless demand for money. And most juvenile justice programs are hard pressed to meet their current obligations to care for actual offenders, never mind the much broader mandate of serving hypothetical ones.

Second, for these same reasons, most juvenile justice funds are legally restricted to adjudicated young people, and some are even targeted more narrowly — for example, to those actually sentenced to secure detention. That is one effective way of keeping limited money focused on a circumscribed, clearly eligible population. But it generally rules out any attempt at a longer-range preventive strategy.

Third, and maybe most profoundly,

6 Consider, for example, the “8% Early Intervention Program” in Orange County, California, which concentrates prevention services on first-time offenders with the highest risks of re-offending. A recent update from the U.S. Justice Department’s Office of Juvenile Justice and Delinquency Prevention reports that “even a modest reduction in recidivism rates for the 8 percent problem group could result in major long-term savings.” (“The 8% Solution,” in *OJJDP Fact Sheet #39*, Washington: U.S. Department of Justice, November 2001, p. 2.)

| *'The goal is, first and foremost, to keep the child in the classroom and in the community.'*

after-school programs and other approaches to youth development generally don't *want* to be regarded as corrective or therapeutic programs, trying to overcome young people's perceived "deficits." Being identified as an "early-intervention" program for young people whom police or judges have declared "at risk" of delinquency would defeat that purpose, and might scare away less-troubled participants who are a crucial part of a successful mix.

To Wayne County Community Justice officials, all three of those objections are manageable, even valuable. Like any other managers of a cash-strapped juvenile justice system, they have no desire to pay for services to every young person in the county. They want, and believe they are creating, a program that funds only those services needed to prevent delinquency among youth highly likely to become delinquent. Yet they hope to do this by relying precisely on those community-based programs that do *not* target offenders. County officials and regional Care Management Organizations want the young people they refer to these programs to be joining something positive, surrounded by peers with no stigma of any kind, in

which the benefits of joining so vastly outweigh the responsibilities that the "at risk" participants will blend in, feel at home, and want to stay.

In its emerging hybrid program, Wayne County refers troubled young people — "incorrigible" children who frustrate their parents, truants who worry their teachers, "tough" kids who alarm community cops — to programs in schools, community organizations, and churches in their own neighborhoods, where participants come from a wide area, and where most participants pose no threat to the law. The county will agree to fund these programs in proportion to the "at-risk" youth they accept — at \$25 a day per youth, for up to six months — but it otherwise expects no distinctive or stigmatizing treatment of those young people. The community-based programs, in fact, are meant to work the way they always work — positively, affirmatively, and constructively — without necessarily singling out "at-risk" youth in any way. But in the process, they could get something that few after-school or youth development programs have ever seen before: a check from the juvenile justice system.

Given the narrow requirements of most juvenile justice funding, how can

Heard use his budget this way?

Although his system has benefited from some special-purpose funding specifically for prevention — including a series of significant federal grants — Wayne County has also made use of a legislative provision that the old system could never afford to implement: Michigan's juvenile justice funds can be spent on any young person who has had a *complaint* lodged with the juvenile court. That complaint need not necessarily be adjudicable. Whereas the old system routinely turned away complaining parents or teachers, the new system welcomes those complaints as early-warning signs of impending delinquency. Those complaints give the respective young people credible status in the juvenile court. And that is all the county needs to make them eligible for preventive funding.

Where previous county policy saw a nuisance — complaining adults who wanted the courts to take over their problems — Jeriel Heard and his allies in the court system saw an opportunity. The courts would not take over these problems, but they would cooperate in a solution, and help to pay for it, provided that the parents, teachers, and community would take the lead.

At this stage, while the rest of Wayne County's reformed system is still taking shape, it is not yet possible to blanket the county with preventive programs. And barring any significant increases in federal or state funding, there may never be enough money to do that. But as the rest of the system becomes more efficient with its money — as young people find more effective treatment outside of institutions, as recidivism continues to decline, and as service agencies weave their experience into better programs — the funds available for prevention are likely to increase. While that is happening, the county is starting small: Most of the prevention money is now available only in three communities with the county's highest levels of juvenile crime. As funds allow, that list could expand.

In one especially high-crime school district in western Wayne County, for example, the Department of Community Justice is paying the school system to hire two truancy officers and three social workers — previously an unimaginable luxury for the cash-strapped district. The persuasive theory behind that expenditure is that the officers and social workers may

intercept problem students before they end up mired in crime, and then (a) keep them in school, and (b) guide them toward an after-school program to provide some structure to the rest of their day. After the four-year term of that grant, Heard says, it should be fairly easy to see whether the county's investment paid off, by determining what patterns of delinquency emerge in that school system, and how they compare with those of the past.

In other areas, which will be described momentarily, regional Care Management Organizations are beginning to channel money directly to after-school programs in elementary and middle schools — programs that particularly cater to young people who have no parent at home in the late afternoon hours, and who might otherwise spend their time idly or destructively. For the after-school program, the \$25 a day that comes with a referred juvenile offender is unrestricted new revenue — it isn't tied solely to work done with the referred youngster. The only condition is that the program must satisfy the CMO that it is effectively and consistently serving that youngster with the array of activities it normally sponsors.

Cautions and Caveats

As remarkable as this experiment is, there are at least three credible reasons for caution, which any economical system of prevention would have to address. The first has to do with *scope* — the potentially wide net that an effective prevention program would have to cast in order to be sure of reaching the young people who would actually go on to commit crimes. The second involves *targeting*: Parents, teachers, and police will want to direct lots of kids to constructive programs, and may figure out how to get county money in the process; the trick is keeping criminal justice funds reasonably focused on the young people whose inclinations pose a realistic threat. The third issue is *organizational strength*: It takes skill, staff, and good organization to manage the complex web of participating agencies, volunteers, facilities, and services that make up an effective prevention effort. Because prevention funding is comparatively small and fragmented — and is among the first budget items to shrink in lean times — creating and preserving an effective youth development and

prevention system is a long-term, maybe permanent, challenge.

1. SCOPE: Reaching enough people to be effective. On one hand, it costs perhaps \$50,000 a year to keep a young offender in a correctional facility, but just \$3,000 to \$4,000 to involve a youngster in an after-school program. On the other hand, there are many times more young people who need an after-school program than who will ever spend a day in detention. So the one-to-one cost comparison isn't particularly meaningful. Even in a poor and dangerous neighborhood, a good after-school program might have to reach four or five students, maybe more, for every one that it successfully diverts from delinquency or adult crime. And in areas with less concentrated youth problems, the net would surely have to be cast much wider to get the desired effect. Since most youth development programs need and welcome law-abiding young people among their participants, the percentage of "at-risk" participants would, in practice, need to be as small as possible. If juvenile justice funds are necessarily attached to a program's "at-risk" enrollment, those

funds will probably never make up a majority, or maybe even a sizable minority, of the after-school program's budget.

Some argue that such "at-risk" calculations are too narrow. They point out that the payoff from one successful diversion from a life of crime — estimated at \$1.7 million and higher — would be enough to support services for dozens of other young people. But so far, that argument has had more success in think tanks and civic organizations than in government budget agencies. In the near term, for programs that expect to serve some number of at-risk youth anyway, juvenile justice funds can at least be one new source of revenue, albeit limited, in a field where sources of revenue are scarce.

2. TARGETING: Making sure expenditures buy results. This second caveat is in some respects the mirror image of the first. While most successful youth programs need to cast a wide net for participants, county budget-managers need to keep their own net as narrow as possible. The mission of juvenile justice funds is to curb juvenile crime, not to help all young people achieve their

full potential. Yet the latter is often precisely the mission of the community-based programs into which the juvenile justice system directs its young people for prevention services. Given this possible mismatch, those who manage juvenile-justice money need to be sure they are spending their dollars in strict proportion to the amount of crime they are preventing. That's always an elusive kind of calculation, even in fields that are better understood and more easily quantified than delinquency prevention.

Consequently in the new Wayne County system, even among people who believe passionately in prevention, there is an equal passion for focusing money on clear risks and effective remedies. Not only are funds scarce, but most systems naturally gravitate toward the easiest tasks and avoid those that present big risks of failure. So it will probably never be easy to keep programs' attention focused on the most troubled, hardest-to-reach young people — even though those are precisely the people for whom the expenditures are intended. One senior participant in the Wayne County program summed up the challenge this way:

Most community-based programs right now don't have any way of proving their value. It's not that they're not valuable, but they can't *show* it, because they aren't necessarily doing things that can be definitively tied to specific results. Meanwhile, a lot of kids have really specific needs — they're already starting to use drugs, or they're not controlling their anger, or they're chronically skipping school and staying out all night. For them, the general, strength-based programs may not be offering anything that will specifically help them with what they need right now. There's a real temptation for those programs to work these kids right out the door. So not only do the programs have to show what they can accomplish — meaning they need to measure results that are tied in some concrete way with what they're doing — but they need to offer things that will help the specific kids *I'm* going to send them. And in this community, there's a very small number of programs that can say that.

Satisfying the performance requirements of the county system could, for some youth programs, bring wider benefits. If, over time, these programs can demonstrate that they are consistently and effectively serving young

people who might otherwise pose a threat to the community, they are likely to become much more competitive for other sources of money beyond the juvenile justice system. Many charitable foundations and some government programs routinely fund youth services relying on only a faint hint of what their investments are achieving. Applicants who can demonstrate success with troubled young people, along with effective service to a wider population, could well attract the interest of more funders.

3. ORGANIZATIONAL STRENGTH: Managing people and money. An effective program in the out-of-school hours needs facilities, equipment, and supplies; skilled adults for mentoring, tutoring, and management; arrangements for transportation and safety; and money to pay for all this. Unlike adult employment services, law enforcement, or even substance abuse and mental health services, there is usually no single government agency that takes primary responsibility for seeing that after-school youth programs can find these necessities or get the money to pay for them. A school system that routinely takes responsibility for fund-

ing and managing after-school activities is extremely rare. Most of the time, these activities are the province of small community-based or religious organizations, and each program is on its own for scraping together and managing the resources it needs.

Those responsibilities are hard enough for a standard after-school program to handle. But consider what it means to such a program to face the additional obligations that the person quoted above seems to be looking for: tailoring services to the needs of especially troubled youth; measuring the outcomes of those services; integrating the youth and their specialized funding into the rest of the program and the community; and handling whatever security or other problems may arise when more-resistant young people join the mix. Organizations that recognize the risks and potential costs might well choose to opt out. Those that don't recognize the risks and costs may not be strong or wise enough to be effective players. Somewhere in the middle are a few solid organizations with gifted leadership. Small wonder that, as the person just quoted put it, "there's a very small number of programs" that fit the bill.

It's significant that the pilot after-

school programs now operating in Wayne County's new system have all been funded by extraordinary grants from government and foundations. A manager of one such program described crucial funding from the U.S. Justice Department's Office of Juvenile Justice and Delinquency Prevention as

a kind of venture capital — the investment that allowed us to get all the pieces in place, hire or arrange for professional services, work with the school system, all the management and infrastructure that you need to get something rolling. You can't pay for that with per-capita service fees, because the infrastructure all has to be in place before the first child arrives at the program.

In other words, a local juvenile justice system will most often have to depend on preventive services that have been funded to a significant degree by other people or other parts of government. It can then enhance those programs, and help orient them toward young people with particular needs. But it probably can't expect (or afford) to build such programs from scratch.

Jeriel Heard and the leadership of Wayne County recognize these various cautions, and say they feel comfortable with them. "If this were easy," Heard says, "we probably wouldn't be here just putting this together now. Someone else would have done it long ago, and it would be humming along, and we'd all be

worrying about something else." The crucial task, says Heard, has been to point the system in a new direction and make it start performing, enacting broad-stroke reforms in the areas that seem clear, and taking experimental steps in those where the bigger questions still loom. But in his mind, the role of after-school and other prevention programs in the juvenile justice system is beyond dispute. Getting the scope right, targeting effectively, and seeking out strong, well-managed programs will no doubt take some trial-and-error, and certainly some time. But as Heard sees it, "That's not a reason to sit around and worry that everything isn't perfect. That's a reason to get started."

Conclusion

In March, 2001, as Wayne County's juvenile justice reforms were just starting their second full year of operation, the nonprofit advocacy group Michigan's Children, Inc., published a report sharply critical of delinquency-prevention programs statewide. *The Detroit Free Press* summed up the organization's findings this way:

After years of responding to public concern about youth violence with harsher penalties, it is time to beef up after-school activities and other prevention programs, an advocacy group says.

"Most of the state funds directed to youth violence are used to punish, house and treat juvenile offenders; relatively little has been invested in efforts to prevent violence from occurring in the first place," says a report released today by Michigan's Children.

The state annually spends about \$180 million on services for delinquent youths, plus a sizable — though unknown — amount of the \$350 million it spends on foster care for abused and neglected children, the report says.

"By contrast," the report says, "the programs designed specifically to prevent

youth violence are small and scattered throughout state budgets."⁷

In fairness to Michigan, the report could have been written in much the same terms about most other states in the Union. As a national rule, states generally rely more on incarceration than on rehabilitative services, and far more on punishment than prevention. As the report was being written, in early 2001, Wayne County's Department of Community Justice was just beginning to become a major exception to that rule. And its early steps toward greater use of prevention and after-school programs were still below the periscopes of watchdog groups like Michigan's Children.

Yet the fundamentally preventive philosophy of the Wayne County reforms — beginning with its treatment of those who are already offenders, and gradually extending to those at risk of delinquency — suggests a significantly new way of approaching both the social and fiscal aspects of juvenile justice. Although it is too soon to declare the reform efforts a success, they clearly respond persuasively to two distinct camps: those like Michigan's Children, concerned about effective crime prevention

and youth development, and those like County Executive Edward McNamara, responsible for balancing the books.

In theory, satisfying both of those constituencies ought to be easy. As the national advocacy group Fight Crime: Invest in Kids pointed out in a mid-2000 report:

Protecting the public safety...is not expected to be a financially self-supporting operation. No one would suggest that we should have police preventing murders only if that activity produced enough savings to pay for itself. But even if that were the test, after-school programs would pass with flying colors.⁸

Though research on the effectiveness of delinquency-prevention programs is not exactly plentiful, nearly all of it comes to the same conclusion: These programs benefit both public safety and the public purse. Yet most of the time, research is no match for real politics. As county and court officials learned in the early steps of reforming Wayne County's juvenile justice system, even the best academic studies can get lost in the ideological skirmishing that normally surrounds this issue. In the long run,

7 Jack Kresnak, "Group Says After-School Is Key Time to Curb Violence," *The Detroit Free Press*, March 1, 2001, Page 1-B.

8 Newman, Fox, Flynn, and Christeson, *op. cit.*, p. 24.

the arguments are far more likely to be settled by actual experience than by any theoretical rationales, no matter how persuasive.

What makes Wayne County's approach potentially significant on the national stage — if it works — is precisely that it begins conservatively, by improving the treatment and punishment of young people who are already in public custody. By first diverting

known offenders away from crime, and then gradually expanding to those who have not yet committed an offense, it may provide the advocates of prevention with the most effective kind of incontrovertible evidence: a government budget that stretches farther and farther over time while bringing crime rates down.

In any case, that will be the test that Wayne County's chief executive, its

juvenile court, and its prosecuting attorney all hope to pass. If they do, the argument for “pure” prevention nationwide — for after-school programs and other community-based services to young people in troubled neighborhoods — will become easier to make, and more irresistible to communities that place a supremely high value on the safety and survival of their children.

| *‘Working with these children, we quickly turn up all kinds of deeper issues — layers of personal and family traumas, grief, bereavement, fear.’*

Part III

Case Studies: How the Reformed
System Works at the Front Lines

Case Study #1

'STRUCTURED DECISION-MAKING' IN ACTION

The Central Care Management Organization, one of the five case-management and coordinating agencies in Wayne County's new system, works out of the basement of a county community-services building about six miles northeast of downtown Detroit. The surrounding neighborhood, like most of the CMO's central Detroit district, is overwhelmingly African-American, with a mixture of Mexican and Lebanese Americans, a smattering of other minorities, and, according to the 2000 Census, a still-dwindling number of white families.

By several measures, it is the toughest of the county's five districts, with the highest percentage of young people in high-security placements, even under the reformed system. Though the number of referrals to the other Care Management districts has become fairly steady since their early months, Central Detroit's caseload is still growing. (Part of the reason for this may be positive news: Reforms in Detroit's police department seem to be producing more arrests and more cooperation from victims.) Unlike the

other four districts, which include at least some better-off neighborhoods in outlying communities, the central district's concentrated poverty is all but universal. Several of its constituent neighborhoods, at the epicenter of Detroit's massive residential abandonment of the 1970s and '80s, are a study in urban ruin.

Yet even here, by mid-2001 the transformation of the juvenile justice system was far advanced, though still incomplete. Compared with an average rate of out-of-home placements running close to 90 percent under the old system, at least half of Central Detroit's cases now remain in the community (either at home or in family foster care), most with frequent supervisory visits, therapeutic services, and high-tech tracking devices like electronic "tethers" and voice-monitoring equipment.

Like all five Care Management agencies, Central Detroit's caseload of roughly 500 young people all arrive from a central screening office called JAC, for "Juvenile Assessment Center." JAC is also run by a non-profit organization, like each of the five CMOs, but it operates county-wide under contract with the Department of Community Justice. Under

the department's policy of "On-Time Engagement," JAC must compile a basic dossier on each youngster within seven to 14 days of adjudication, including the court's mandates and the prosecutor's file, plus additional information gathered in preliminary tests and interviews with the offender.

Intake specialists at Central CMO typically receive the JAC file by fax as soon as it is complete. They then call the youth's family to verify and supplement information in the file, print out the youth's prior offenses from a computer database, and confer with CMO Director Michelle Scott to assign the case to one of the organization's three case-management teams. Referrals from JAC arrive, on average, five to seven times a week.

The three teams are more or less identical, though each has some specialties because of its members' experience. One team, for example, has more resident expertise in mental illness than the others; another is better with substance abuse. But any team is prepared to handle any case, and the caseloads are kept roughly equal. Besides a supervisor and a lead case manager, each team has seven front-line case managers and a paraprofessional case

aide. Each case manager deals, on average, with 20 offenders.

It is the case manager's responsibility to arrange and monitor a long-term relationship between the youth and a local nonprofit service agency with suitable programs. The main therapeutic relationship is between the youth and the service agency, but the CMO case manager stays in close touch, to ensure continuity and performance, to approve changes in the service plan if needed, and to adapt to any other surprises along the way. In no more than 30 days, the case manager and the service agency must agree on a plan of care, placing each youth on a "treatment track" that will determine the level at which the CMO and the service agency are reimbursed. The county pays CMOs a fixed rate for each of six tracks, from which the CMO must pay its own administrative expenses, the fees of contracted service providers, and any other costs it may incur. Treatment tracks can be changed, depending on a youth's progress, but there are fiscal penalties for "escalating" a youth's status by more than one track level.

To ensure the integrity of the case-management process, CMO Director

Michelle Scott preserves a kind of fire wall between the case managers, who make most of the treatment decisions, and the administrative and fiscal officials who deal with billing and reimbursement. Daily reimbursement rates vary depending on the intensity of services and the level of security of any out-of-home placement. Because that might seem to create a fiscal incentive to assign cases to higher-level care, Scott makes sure that case-management staff understand that they are evaluated solely on programmatic outcomes, not revenues.

An Incentive to Succeed

In any case, the fiscal incentives are not what they seem at first glance. Although more intensive services and higher-security placements bring larger per-diem payments, they are also more expensive to provide. The "net" revenue for all these levels of service are relatively constant. For example, the county pays \$75 a day for intensive home-based care, but \$205 for a medium-security institutional placement. Yet most of that money must in turn be paid to provider agencies who render these

services. The net proceeds to the CMO are actually higher for the in-home service than for the costlier residential placement (\$15 a day net, compared to \$10 for medium security). Even then, the difference is not great enough to make or break the CMO's budget. For all practical purposes, the fiscal consequences of one treatment plan over another are minimal — unless the plan is unsuccessful, in which case it could trigger a substantial cash penalty. If the care plan is especially successful, on the other hand, it will earn a bonus. The overall result: Every participant's chief interest, whether programmatic or fiscal, is in producing a swift, successful outcome.

"There's a kind of informal competition among the CMOs," Scott says. "On one hand, everyone knows that each of us has a different population with different sets of challenges, so we're not really comparable. But there's still no question that the county compares us on some level, and we compare ourselves to one another, at least in a general way. That's healthy, as long as it doesn't go too far. It keeps us asking, 'how can we do this better?' or 'what can we learn from what they're doing?'"

‘Care Management Tracks’

Though there is enormous variation among the individual treatment plans, the basic non-institutional tracks are just six:

- *Community Supervision and Treatment*, which could include family foster care or in-home detention.
- *Intensive Supervision and Treatment*, at home or in foster care, which includes multiple unannounced supervisory visits every day, and may include “wrap-around” treatment, involving a formal role for local teachers and pastors, community groups, and parents.
- *Community Supervision for Transition and Reintegration*, to help youth prepare to re-enter normal supervision or even independent living.
- *Intensive Supervision for Transition and Reintegration* — like the “community” version, but with more contacts, services, and possibly “wraparound” community involvement.
- *Intensive Supervision and Day Treatment*, a full-day treatment program, complete with on-campus school.
- *Out-of-Home* (but not institutional) *Placement* — a group home with specialized treatment.

HOW MUCH TREATMENT, AT WHAT LEVEL?		
TREATMENT TRACK	DAYS OF ENROLLMENT	PERCENT OF TOTAL
Regular Supervision, Treatment & Reintegration	45,697	14.7
Intensive Supervision, Treatment & Reintegration	117,876	38.0
Intensive Supervision and Day Treatment	2,654	0.9
Specialized Group Care	3,331	1.1
Total Community-based	169,558	54.7
Low-Security Residential Care	84,238	27.2
Medium-Security Residential Care	46,570	15.0
High-Security Residential Care	9,798	3.1
Total all levels	310,164	100.0

Within these categories, CMOs and service agencies can assemble a treatment package that fits each case. For example, a program of community restitution, plus daily contacts with an adult, may be sufficient for some lower-level offenders with good family support. An experienced adult paraprofessional may just drop by, shoot baskets, and serve as a mentor. For youth needing more supervision, there may be frequent “monitoring” visits throughout the day, but also individual or group counseling, substance abuse treatment, life-skills or employment training, and careful

tracking of school attendance and other daily activities.

For the most serious or most deeply troubled offenders, there are more intensive residential-care tracks: Out-of-home placements could include residential substance-abuse treatment, a “boot camp” experience, placement in a mental-health program, or, in the increasingly rare case, hard time in a high-security state facility.

The table above shows, as of mid-2001, the aggregate number of days in which Wayne County used each level of care and treatment, and what share of the total each level represents.

Case Study #2**COMBINING JUSTICE
WITH PREVENTION**

Black Family Development, Inc., a 23-year-old family service agency, is Wayne County's Care Management Organization for the east side of Detroit. But well before that happened — more than four years before the Care Management system was created in 1999 — Black Family Development had won a grant from the Michigan Office of Juvenile Justice to offer a specially designed delinquency-prevention program at Detroit's Jane Cooper Elementary School. In a wide-ranging partnership with the Detroit Public Schools and 14 other community-based groups, and with supplemental funding from a handful of local foundations and civic organizations, Black Family Development created an after-school program patterned on the U.S. Justice Department's "Communities That Care" model — a "social development" approach that relies heavily on the research of David Hawkins and Richard Catalano. It was, in effect, a pilot project for what would eventually become Wayne County's expanding vision of neighborhood delinquency prevention.

Like most of the current Care

Management agencies, Black Family Development hadn't previously considered itself part of the juvenile justice system. But the purpose of the Cooper program, and other youth development services at Black Family Development, were partly aimed at reducing crime — while also helping young people do well in school and develop into satisfied, productive adults. The circumstances of Cooper Elementary, and the conditions in the surrounding community, quickly put the issue of delinquency and crime prevention near the top of the organization's agenda.

What made Cooper Elementary significant, apart from the generally well-regarded program that Black Family Development ended up creating there, was that the school sat in the middle of Detroit's Precinct 9 — home of the highest juvenile crime rate in Wayne County. A county youth worker, assessing various neighborhoods as possible sites for the "Communities That Care" program, found the conditions around Cooper Elementary "alarming": broad stretches of vacant land and abandoned housing, prostitution and open drug use, festering gang activity, and almost no organized recreation, social services, or community structures to combat the surrounding chaos.

"Conditions here were such that kids didn't stand a chance," the county youth worker wrote later. Under these conditions, Black Family Development reasoned, a decent after-school program at Jane Cooper Elementary couldn't help making a dent in youth crime.

Even so, the bulk of the after-school program focuses primarily on students' strengths, not their phenomenally high risks. It offers them constructive activities, a supportive social environment after school, and a chance to finish homework assignments, play, and associate with caring adults. It enlists parents as volunteers, supervising and monitoring the various activities and simply establishing an attentive adult presence. Arriving in midafternoon, some 200 to 300 youngsters a day go directly to homework tutorials or other learning sessions and eventually sort themselves among a menu of recreational activities — martial arts, chess, graphic arts, reading — chosen both for their appeal to large numbers of kids and for their encouragement of self-discipline, creativity, and pride in accomplishment.

Following the Hawkins/Catalano model, the program combats the neighborhood's many documented "risk factors" — including the prevalence of

| *'The last thing these children need is to be walled off in a program for bad kids.'*

drugs and guns, high rates of academic failure, and little community cohesion — with “protective factors” like consistent recognition of good behavior, opportunities for positive social interaction, and skills for solving problems and managing anger and conflict. The protection can be quite literal: Besides keeping children away from dangerous streets and harmful influences, the program offers periodic medical services, including an annual dental screening, in the hope of spotting potentially damaging problems before they have time to do lasting harm.

Targets within Targets

But then, having established this basic program at the epicenter of youth crime in Detroit, Black Family Development took a further step: It proceeded to seek out the 50 to 100 most troubled children in the general enrollment at Cooper Elementary, and offer those children a more structured after-school program, with dedicated case managers and a concerted attention to issues of mental health. This case management “program-within-a-program” consumes nearly half of the \$250,000 to \$350,000 that Black

Family Development spends at Cooper (the total varies year by year, depending on available funding and the number of activities offered). A staff of four to five people, including two or three case managers, concentrate solely on these 50-plus children, with counseling and mentoring, dedicated help with school work and managing crises, and attention to the background problems that underlie their trouble in school — often including neglect, poor nutrition, lack of medical attention, or simply a lack of positive influences at home or in the community.

“The goal is, first and foremost, to keep the child in the classroom and in the community,” says Alice Thompson, chief executive officer of Black Family Development,

rather than see that child redirected toward special education, or stop showing up at school, or end up in serious trouble. Most of these children have behavioral problems — they are not special-education students, but in many cases they have problems that are every bit as serious as those of children in special ed. Teachers select the children for this program, usually because they are disruptive, or chronically absent, or show signs of neglect — maybe they're always

hungry, or never clean. Teachers and administrators use a lot of judgment in referring children. There isn't a formula for this. But by whatever standard, they are finding the children they are most concerned about, and sure enough, as we begin working with these children, we quickly turn up all kinds of deeper issues that the school may not ever have known about — layers of personal and family traumas, grief, bereavement, fear.

Yet important as the case management and specialized counseling may be, Thompson points out that the availability of the broader program, with all its recreational and educational opportunities, is crucial to the success of the narrower effort. The last thing these children need,” she says, “is to be walled off in a segregated program for ‘bad kids.’ They benefit from any of this only if they feel engaged by it and want to participate. Their parents have to consent. They need to see this program as a way of getting a little extra help and support and encouragement, but most of all, as a way of being part of the social circle, enjoying all the same activities as the other kids, but with a cushion of support that they might not get any other way.”

Thus far, Black Family Development

has funded the Cooper program largely through special-purpose grants, including some major federal support championed by U.S. Rep. Carolyn Cheeks Kilpatrick of Detroit. As this paper is written, the organization is exploring whether some of the older children at Cooper might qualify for regular funding from the juvenile justice system. If any of these children is the subject of a complaint to the court — which might have been filed by the school, a teacher, local police, or the children's own families — Black Family Development could collect up to \$25 a day per child, for up to six months. That would be only a small supplement to the Cooper after-school budget. But it would, as Thompson puts it, “help us diversify that funding base, which is critical for the survival of the program. And it might even bring in a little money to enhance the program here and there.”

A Funding ‘Track’ for Prevention

The county's Department of Community Justice worked closely with Rep. Cheeks Kilpatrick on federal grants for Cooper and two other after-school programs. For now, the norm in Wayne County is

for such delinquency-prevention efforts to be funded by annual special-purpose grants from private foundations and federal sources, not routine payments from the local juvenile justice system. Heard believes that will change over time, as the rest of the system uses its dollars more and more efficiently, and money becomes increasingly available for use “farther upstream” — to address sources of juvenile crime like failure in school and idle, unstructured time in the after-school hours.

The creation of the \$25-a-day “Care Management Track” for after-school care is a first, tentative step in that direction. It is, for now, limited to children with a formal complaint in the court records, and the after-school programs must meet standards of service and performance that are still evolving. But as may happen at Cooper, the small payment can provide at least a trickle of new funds for programs that simultaneously reach a wider circle of children. By supporting those programs, the county not only pays for early treatment of designated “at-risk” offenders, but helps build a wider net of prevention and protection for children who are not yet on any official warning list.

On the other hand, the availability

of such funding could also lead to an increase in the number of children who are the subject of low-level court complaints. Until now, police, teachers, and parents may have resisted filing such complaints, on the reasonable grounds that the courts would probably do nothing about such minor matters as disruptiveness in school or chronic truancy. If, in the coming months, concerned adults begin to see that such complaints might actually lead to constructive, preventive services for young people, they might well begin filing complaints in larger numbers. That remains to be seen.

If more complaints lead to more charges for after-school service, the aggregate effect could disrupt the fragile arithmetic on which the \$25-a-day calculation is now based. The problem is purely hypothetical at this point, but it's not out of the question. At least for now, Wayne County isn't insisting on significant reductions in its juvenile justice budget; the primary aim of the current reforms is to get better results from the amounts that the state and county now spend. But neither do top policymakers want to see great *increases* in that budget. Uncontrollable cost escalation was among the problems Jeriel Heard was originally charged with

solving. Creating a run on the County Treasury for new after-school funding is presumably not in his plans.

Yet that prospect doesn't worry him much:

If we imagine that after-school and other prevention programs really lead to reductions in juvenile crime — and I firmly believe they do — then the use of those programs is going to be beneficial to us, both in the budget and in the community. Yes, we'll have to phase this in gradually, and we'll have to move carefully as we move resources upstream, from punishment to treatment to prevention. But we can manage that, and in fact, we are managing that. The more effective we make our response to juvenile crime, the more credibility we'll have as we invest in [prevention] — which, let's face it, is what any community would *prefer*, rather than to have kids committing crimes, disrupting the community, ruining their lives, and needing more-expensive services and punishment.

Targeting through a Wide Lens

Like the organizers of the Cooper Elementary after-school program, Heard believes that the best preventive

services are the ones that reach whole communities, not just the most obviously or deeply troubled children. That is why, in its first months, his department concentrated on raising special grants for broad programs in high-crime communities, rather than creating funding tracks tied to specific children. As a result of that preparatory work, the new \$25 funding track could direct additional dollars to programs whose quality is already assured. Admittedly, federal grants and other special-purpose funding isn't available everywhere, and its continuation year by year is never guaranteed. But in Heard's view, building and enriching good programs is the first challenge. In order to direct routine juvenile-justice money to such programs down the road, there first needs to be some assurance that programs are available, are well planned and managed, and can track their results.

"When you talk about 'at-risk' kids," he says, "it often doesn't make sense just to talk about kids who have some known complaint or court status. When you go into communities like Cooper or [two other Wayne County target schools], where there are no libraries, no play fields, no organized community activities, where drugs and

gang activity are all over the place, look around you. What kids here *aren't* 'at risk'? There are some levels where too rigid an idea of 'targeting' just leads you to miss the real picture."

At another of the county's specially funded after-school programs, in the old industrial town of River Rouge, managers of the program say they don't expect to use the \$25 funding track much, if ever. Not only are most of the children in the program too young to be subjects of juvenile-court complaints, but even among those with behavioral problems, parents and teachers are reluctant to create a "record" for them, even a temporary one, by taking their problems to the juvenile justice system. The whole point of the program in River Rouge, leaders say, is to reinforce children's sense of membership in the functioning community — drawing their attention away from the world of prosecutors and courts, not into it.

So the "Opportunity Center After-School Program" at River Rouge's Sabbath Elementary School seems, to a casual observer, to have little to do with the criminal justice system. On a typical early evening, some children are gathered quietly in one room working on art projects, others are

playing an orderly game of basketball in the gym, a large group is finishing homework assignments in another classroom. Parents and teenage volunteers move about the halls as monitors and activity leaders. The whole building seems as calm and safe as if the school day were still in session.

Yet the program is largely the creation of The Guidance Center, one of the two nonprofit partners that operate Wayne County's juvenile-justice Care Management Organization for the southern region. Kari Walker, The Guidance Center's chief clinical officer, explains that the group's four after-school "Opportunity Centers" are a beachhead in a broader plan for the rest of the region:

For now, we have these four programs in southwest Detroit and River Rouge. We would like to have more, and we're hoping to develop some more specific at-risk programs, around literacy, for example. Right now, the Guidance Center is funding an after-school literacy program at [a suburban Detroit middle school] using revenue from our Care Management operations. That's money we make by providing services for adjudicated offenders, but with a portion of those revenues, we're able to support the literacy program.

Return on Investment

The calculation behind The Guidance Center's plans deserves close attention. It is significant in two ways: First, the Guidance Center's "revenue from Care Management operations" is set by formula. The organization is permitted — in fact, encouraged — to deliver its services as economically as possible, within strict quality standards. If actual costs for quality service are lower than the payment the Guidance Center receives, Wayne County lets the group use the excess revenue for other services to juveniles in the same community.

In the county's official view, that is the equivalent of earning double benefit for its dollars. And the Guidance Center sees it the same way. The efficiency of the new Wayne County system, even in its first years and even before it is fully implemented, is already producing sufficient revenue of this kind for its managers to fund other, related operations with earned income.

The second important fact about The Guidance Center's use of these funds is that the Center is not targeting youthful offenders and others

with already-proven risks, but applying the funds to young people throughout the community. "That," says Walker, "is where the real payoff is eventually going to lie, not just for the criminal-justice system but for the health-care system and the public-assistance system, and all the other areas where we respond to problems after they occur."

That, in capsule form, is the calculation behind all of Wayne County's juvenile justice reforms. First, by moving from punishment to effective treatment, the county quickly began to reduce the incidence — and the cost — of repeat and escalating offenses. That was, in a sense, Efficiency No. 1. It provided The Guidance Center with sufficient revenues to widen their after-school programs. Investing the revenues that way leads to the next stage — Efficiency No. 2, so to speak — in which, by moving from treatment to prevention, the county begins to multiply its savings: from reduced crime and delinquency, a more orderly social environment in troubled neighborhoods, and a greater chance that children who might have been a net cost to society will instead end up as contributing members and leaders.

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About the After School Project

The Robert Wood Johnson Foundation created the After School Project in 1998 as a five-year, three-city demonstration aimed at connecting significant numbers of young people in low-income neighborhoods with responsible adults during out-of-school time. The Project focuses on developing: (1) consistent, dedicated revenues to support after school programs in low-income communities; (2) an array of different approaches to educational, social, recreational and other developmental opportunities for youth; and (3) strong local organizations with the necessary resources, credibility, and political clout to bring focus and visibility to the youth development field.

For more information, please write to The After School Project, c/o The Nonprofit Finance Fund, 70 West 36th Street, New York, NY 10018-8007, or call 212-868-6710 ext. 104.

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