



## SCHUBERT CENTER FOR CHILD STUDIES

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Thank you Chairman Uecker, Vice-Chair Brown and Ranking Member Tavares and Senate Finance Corrections Sub-Committee members.

My name is Gabriella Celeste and I am the Director of Policy with the Schubert Center for Child Studies at Case Western Reserve University and an interested party in budget matters concerning the Ohio Department of Youth Services (DYS), the Office of the Ohio Public Defender (OPD) and other state agencies in matters that impact young people in or at risk of entering the juvenile justice system. The Schubert Center bridges research with policy, practice and education for the well-being of children and families and has been engaged in policy improvements along the childhood continuum, from infancy to emerging adulthood, to improve opportunities for healthy development and success.

Let me be clear, when it comes to juveniles and young people in particular, the most effective “corrections” prevention strategy involves keeping kids in school and positively connected to their communities. State and local leaders, including DHS and juvenile judges, recognize this and have supported innovative efforts to divert youth from deeper criminal justice involvement. These approaches would benefit from further promotion and investment.

Moreover, research shows that the vast majority of kids, even serious juvenile offenders, grow up and out of crime as they mature to adulthood. (Steinberg, Cauffman, and Monahan, 2015). The fiscal policy question then is whether the types of sanctions and corrections interventions for youth are more likely to facilitate healthy adolescent development or impede it. We urge fiscal policies that advance healthy child and adolescent development.

Our office recently released “*Getting it Right: Realigning Juvenile Corrections in Ohio to Reinvest in What Works*”<sup>1</sup> to bring attention to what is a remarkable story about DHS’ fiscal and programmatic innovation to achieve successful outcomes for troubled young people. A couple of points from that report I’d like to highlight here, particularly as they relate to budget matters:

First, DHS continues to be at the forefront of national juvenile justice innovation through its latest reinvestment strategy and development of “Competitive RECLAIM” – the newest iteration of its RECLAIM program, a state-local cost-sharing formula that fiscally incentivizes courts to treat delinquent youth close to home rather than placing them in state correctional facilities. Building from the original RECLAIM program, several years ago DHS further focused on youth most at-risk of deeper entry into DHS, first with the Behavioral Health Juvenile Justice (BHJJ)

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<sup>1</sup> *Getting it Right* report copies to be distributed and also can be accessed at:

[http://schubert.case.edu/files/2013/12/Getting\\_it\\_Right.Ohio\\_Juvenile\\_Corrections.Final\\_.pdf](http://schubert.case.edu/files/2013/12/Getting_it_Right.Ohio_Juvenile_Corrections.Final_.pdf)

program, and then with Targeted RECLAIM (TR). After seeing considerable success with BHJJ and TR, especially in significant reductions in admissions to state facilities, DYS used last year's closure of the Scioto juvenile correctional facility as a chance to strategically reinvest some of those savings into research-supported community programs through the newly created Competitive RECLAIM (CR).

And so, Competitive RECLAIM is really the next step in the evolution of RECLAIM but also represents a major shift in DYS by permanently realigning a portion of correctional savings and focusing on youth well-being outcomes (beyond only reduced state admissions and recidivism). CR is a voluntary, competitive grant-based program available to any interested county. It encourages collaboration among other child-serving systems with the local juvenile court to develop an evidenced-based or research-supported program (EBP) to address a young person's needs and divert them from the justice system. DYS offers technical assistance to counties interested in applying if needed and supports partnerships with academic institutions and others to develop strong quality assurance measures and outcomes to show success. **By working to keep young people out of the justice system altogether and promoting healthy adolescent development, Competitive RECLAIM is reshaping how the state partners with local courts and communities to meet the challenges of youth at risk of becoming disconnected from supports and involved in the justice system.**

*Getting it Right* also points to state budget policy and the importance of DYS deliberately choosing to maximize this opportunity as a key factor in DYS' success. The last two biennium budgets adopted specific policy language that supported the reinvestment of a percentage of dollars from unexpended, unencumbered correctional savings to "expand TR, BHJJ or other evidence-based community programs." While the budget language is vital, equally important is how DYS has embraced this fiscal reinvestment philosophy and gone **beyond just capturing and redeploying correctional savings, to intentionally shifting priorities and creating a sustainable source of funding for evidence-based community programs.**

Keeping youth who do not require correctional placement out of DYS is smart policy on at least three fronts, it: (1) saves money, (2) improves outcomes for youth and (3) protects potential future victims. The following facts shed some light on these factors:

- **Ohio is in the top 10 states for highest cost of youth incarceration.** ODYS has an average **per diem of \$561.28**; taxpayers pay over \$200,000 a year to place a youth in a state facility. So, if we are going to spend this kind of money, we should do so only where truly necessary.
- **The recidivism – or re-offense – rate is significantly higher for youth placed in DYS, and even CCFs, than those served through RECLAIM.** A report by Dr. Latessa and colleagues with the University of Cincinnati found that recidivism rates for low and moderate risk youth served in the community are more than **two to four times lower** than for similar youth placed in a CCF or DYS facility.
- The UC report also found that Ohio **saves "between \$13.60 to \$40.40 for every \$1.00 spent on RECLAIM programming instead of placement in a CCF or DYS facility."**
- **Ohio has proven effective community programs** in our state that cost on average \$10,000 per youth annually. For instance, every \$1 spent on Multi-Systemic Therapy, a proven effective program for serious and violent juvenile offenders, provides **\$9.51-\$23.59 in savings to taxpayers and crime victims.**

Even where incarceration may be short in duration, the impact can permanently derail a youth's chance at success. A recent study by economists Joseph Doyle and Anna Aizer, which examined 10 years worth of data concerning 35,000 juvenile offenders in Chicago, discusses how **incarceration disrupts the “social capital accumulation” for young people. They found that juvenile incarceration decreases the chances of high school graduation by 13 to 39 percentage points and increases the chances adult incarceration by 23 to 41 percentage points**, compared to the average public school student in the same area. “Once incarcerated,” they note, “juveniles are unlikely to ever return to school.”

Which brings me back to my earlier statement on juvenile corrections and education. Keeping young people in their communities through alternatives to incarceration can help to keep them positively engaged in school and more likely to eventually graduate, an important result with positive impacts that extend far beyond the individual young person – it's good for the economic health of our communities.

The value of education as a protective factor is self-evident. This is even more so for youth with serious emotional, behavioral and/or trauma related needs. However, too many children are being excluded from school through zero tolerance types of school discipline practices, like out of school suspension or expulsion, which in turn expand pathways to prison. Consider these facts:

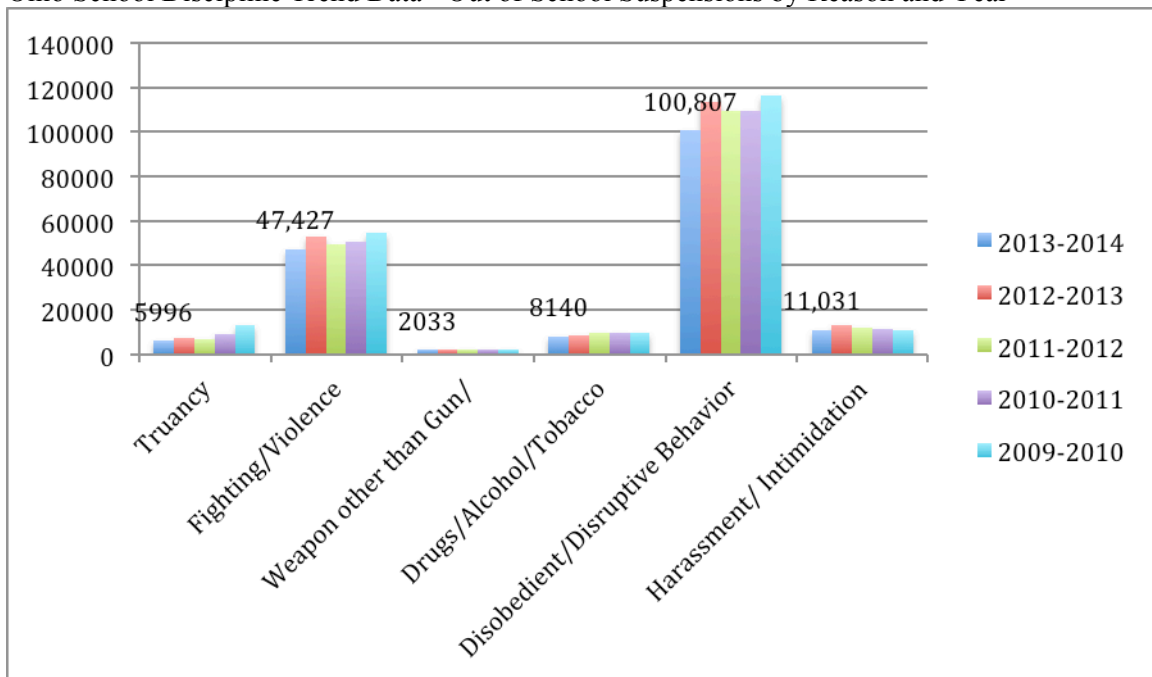
- Kids who do not graduate high school **are more than eight times more likely to go to prison than those who do graduate**. Roughly 80% of Ohio's adult prisoners are high-school dropouts. (Ohio Department of Rehabilitation and Corrections [ODRC], 2012).
- A Texas study found **students with at least one disciplinary contact were five times more likely to drop out of school compared to those without any disciplinary contact**. (Fabelo, Thompson, Plotkin, Carmichael, Marchbanks, & Booth, 2011).
- When students are suspended or expelled, they often stay home unsupervised, increasing the chances of delinquent behavior and court involvement (American Academy of Pediatrics, 2003, p.1207). School alienation-school bonding is one of the strongest variables in predicting delinquency (Skiba & Rausch, 2006).
- While Ohio's overall 4-year graduation rates are similar to the national average, **Ohio ranks 46<sup>th</sup> in the country for graduation rates of Black male students, the group of young people disproportionately impacted by exclusionary disciplinary practices** (Schott Foundation for Public Education, 2012). Only three states have larger racial disparities in graduation rates than Ohio. (Richards, 2012).<sup>2</sup>

**In Ohio, thousands of students are suspended or expelled from school every year for nonviolent acts.** Indeed, as illustrated in the chart below, the combined number of out-of-school suspensions (OSS) statewide for truancy and disobedient/ disruptive behavior was greater than the number of OSS for every other reason combined; and, disobedient behavior was the most common reason cited for the use of OSS was in virtually all of the school typologies (urban, rural, small town, etc.).

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<sup>2</sup> The top 10 states for black male student graduation rates were: Maine, Arizona, Vermont, Utah, Idaho, Oregon, Alaska, Minnesota, S.Dakota, Oklahoma. The five worst states were: Colorado, Texas, Florida, Georgia and Ohio.

### Ohio School Discipline Trend Data - Out of School Suspensions by Reason and Year<sup>3</sup>



We know when students are removed from the classroom as a disciplinary measure, the odds increase dramatically that they will repeat a grade, drop out, or become involved in the juvenile justice system. **Providing resources to support more school partnerships working to keep challenged students in school and on track, rather than removing or expelling them, is another area that could be further strengthened.**

Finally, I would like to say a word about the critical role of youth counsel in juvenile matters and the valuable work of the Office of the Ohio Public Defender, particularly its juvenile division that has been recognized nationally for its excellence. In addition to necessary representation throughout the court process, lawyers can be effective advocates for youth and help to educate courts both at the front end to promote diversion, as well as assisting young people held in DYS and CCF and returning home from a facility to ensure a successful re-entry. The latter is especially important given the **serious collateral consequences facing young people after justice system involvement and the negative impact of a court record on future prospects for education, employment, housing and so forth.** Investments in adequate legal counsel and training are essential to ensuring legal protections, access to treatment and appropriate diversion and release opportunities for young people in the juvenile justice system.

So, in conclusion, while we have come a long way, much work remains. Fortunately, Ohio has strong leadership in its state child-serving agencies, valued public-private partnerships with local juvenile courts, and a number of EBPs and other developmentally appropriate community-based programs to work with youth and families. Shoring up resources to continue to go to scale with some of these efforts, as well as innovate with new programming to better serve young people will result in immediate, and long-term substantial cost savings while improving outcomes for all our citizens.

Thank you.

<sup>3</sup> OSS and expulsion “reasons” not included due to lower numbers: vandalism, theft, use/possession of a gun or explosive or poison/gas, false alarm/bomb threat, firearm look alike, unwelcome sexual conduct, and serious bodily injury). State discipline data accessed at: <http://bireports.education.ohio.gov/PublicDW/asp/Main.aspx>