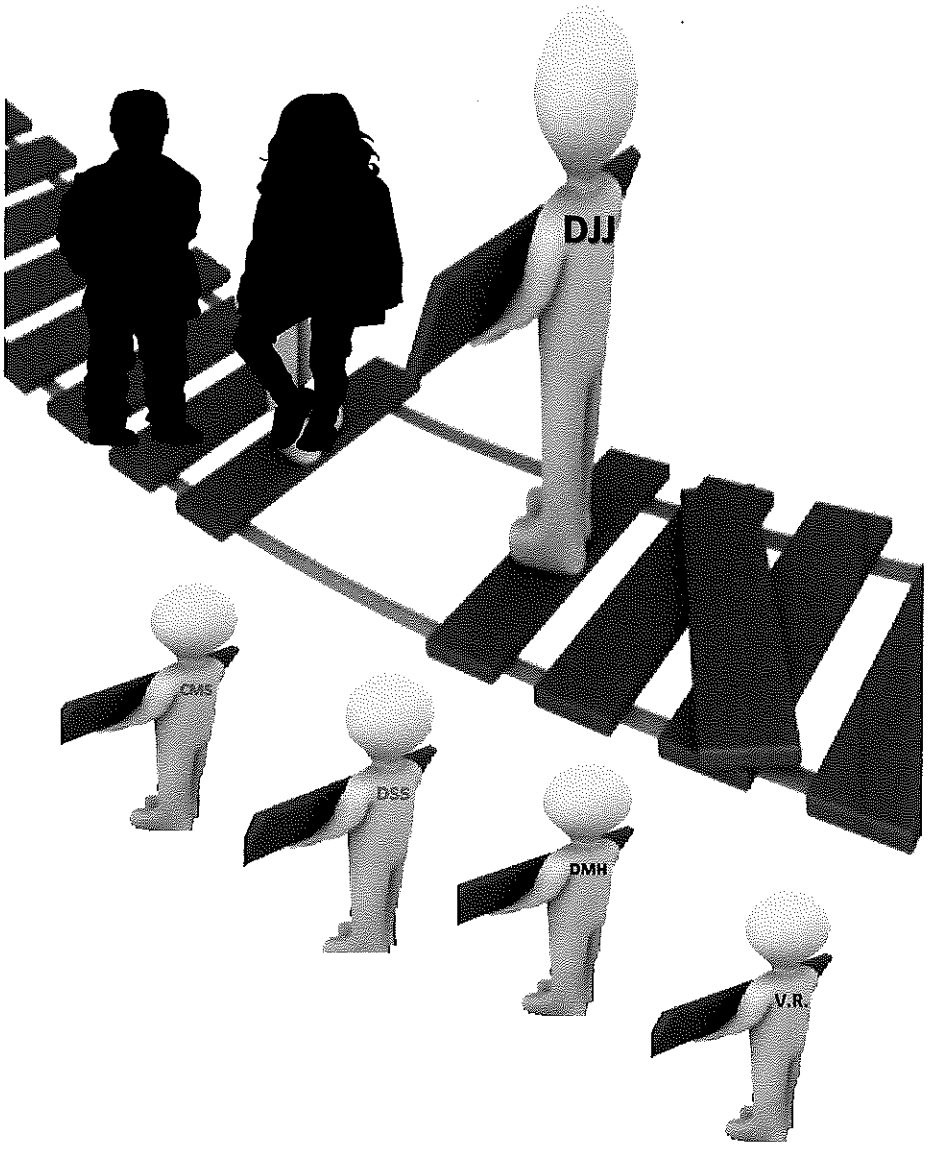
BRIDGING THE GAP: REENTRY FOR JUVENILE FELONY OFFENDERS



CPM Project

2019

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SC Board of Juvenile Parole - SCDJJ

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Introduction

The South Carolina Department of Juvenile Justice (SCDJJ) is responsible for providing custodial care and rehabilitation for the state's youth who are incarcerated, on probation or parole, or in community placement for a criminal or status offense (www.state.sc.us/djj). The agency strives to protect the public and aid juveniles through prevention, community programs, education, and rehabilitative services in the least restrictive environment possible. Juveniles that are committed to SCDJJ by a Family Court Judge will receive either a determinate sentence or an indeterminate sentence. A determinate sentence is one that provides a definite release date (i.e. 30-days, 60-days, 90-days, etc.); whereas, an indeterminate sentence states that the juvenile is sentenced to SCDJJ until their 21st birthday, unless sooner released by "proper authority". For juveniles committed to SCDJJ for misdemeanor level offenses, the proper authority would be the Internal Release Authority which consist of various members (3) of leadership at the agency. The proper authority for juveniles that have been committed for felony level offenses is the South Carolina Board of Juvenile Parole (SCBJP). Juveniles committed to SCBJP receive guidelines that range from three (3) months to fifty-four (54) months. The SCBJP is made up of seven members appointed by the Governor and approved by the Senate. These seven members are tasked with the difficult decision of deciding when a juvenile has been adequately rehabilitated to ensure that he has a successful transition into the community. In addition, the members must also take into account the impact the crime had on the victim in order not to minimize the offense(s) of the juvenile. Nationally, there are ten states that have specially constituted parole boards that make release decisions regarding juveniles. While a parole board may be administratively attached to

a state's delinquency agency, it usually operates independently (Jarjoura, 2016). The staff (social worker, guidance counselor, aftercare provider) working directly with juveniles under the jurisdiction of the SCJPB provide reports prior to parole hearings and are given the opportunity to recommend the juvenile for release or deny a recommendation for release with supporting evidence for each.

Problem Statement

The current vision for SCDJJ is to fuse its community and institutional resources to create a seamless continuum of services in order to redirect the lives of system-involved children (SCDJJ-Accountability Report, 2018). For juveniles released by the SCBJP, this seamless process is a challenge as evidenced by the number of juveniles that encounter additional legal issues within a short period of time of returning to the community. According to reports from the Office of Juvenile Justice Delinquency Prevention (OJJDP), an average of fifty-five (55) percent of youth released from incarceration are rearrested within one year of release while reincarceration and reconfinement rates during the same time frame averaged twenty-four (24) percent. These statistics are not consistent with the reported recidivism rates of the SCBJP (6.8%) (Exhibit 1) or SCDJJ (13.9%) (Exhibit 2) for committed juveniles. SCDJJ defines recidivism as an adjudication for a new criminal offense within one year of completing arbitration, probation, or commitment (SCDJJ-Accountability Report, 2018). This discrepancy provides the foundation of why this research is necessary and will provide stakeholders with an in depth look into various processes for releasing incarcerated juveniles.

A goal that both agencies (SCBJP and SCDJJ) have in common is to return the incarcerated juvenile to the community in the best position possible to succeed by ensuring a seamless reentry process. Juvenile reentry, which is also referred to as aftercare, is defined as the reintegrative services that prepare youth in out-of-home placements for their return home by establishing the necessary collaboration with the community and its resources to ensure the delivery of needed services and supervision (Juvenile Reentry, 2017). On the surface, the recidivism rates reported by each agency appear to be positive, but the overall percentage of juveniles being arrested after release paints a much different picture. The juveniles released by the SCBJP during fiscal year (FY) 2017-2018 had a rearrest rate of forty-seven (47) percent as of December 2018. Given the wide gap between the reported recidivism rate of the SCBJP (6.8%) and the rearrest rate (47%), it is unclear if the agency is making progress towards its goal of providing better outcomes for juveniles. While the recidivism rate creates the perception that the juveniles are succeeding at a high rate, it only focuses on the short-term and may overlook arrests that do not result in a Family Court adjudication. As an agency providing services to youth, preparing them to be successful in the long-term will prove to be more beneficial than simply preparing them to complete a stint on parole once they are released from incarceration. The research that has been conducted will evaluate the role of all stakeholders in the reentry continuum of care and propose recommendations in regards to improving juveniles' long-term success.

Data Collection

In order to identify how such a discrepancy exists between the recidivism rate and the rearrest rate, the reentry experience for juveniles released by the SCBJP from July

2017 – June 2018 was reviewed. This information was gathered from the annual statistics of the SCBJP and also SCDJJ's accountability report. SCDJJ's Juvenile Justice Management System (JJMS) was also utilized to collect data related to the following: services that were offered to the juvenile during reentry, demographic information, additional Family Court charges, and the juveniles' legal history. In order to track offenders that may have been rearrested for General Session (adult) offenses, the public index was used. The public index includes documents and information that are not considered confidential and pertain to the conduct of the government. This site is beneficial because it lists any subsequent adult charges the juvenile may have that would not be included in their juvenile legal history on JJMS. In addition to these information sites, interviews were conducted with service providers (social workers, education staff, aftercare providers) to gauge what alternative avenues could be explored in order to improve reentry outcomes. Another goal of interviewing this set of individuals was to potentially identify any deficiencies that exist in regards to the flow of information once a juvenile enters the community. In order to get more direct and candid information, interviews were also conducted with juveniles that were unsuccessful (revoked) while on parole. A juvenile's parole can be revoked when he/she violates conditions of parole (Exhibit 3) or receives additional charges. Interviews were also conducted with juveniles that successfully completed parole in order to identify what strategies worked while on parole and what obstacles a juvenile may encounter during reentry.

Other sources of data included a study done by Dr. Roger Jarjoura of the American Institutes for Research, which was conducted on the SCBJP in order to provide suggestions about how the agency could operate more efficiently. This study was

conducted from August 2015 through December 2015 and resulted in some fundamental changes in regards to how members of the Parole board approached allowing juveniles to return to the community (Exhibit 4). Another source of data was the Performance-Based Learning Institute (PbS). PbS believes juvenile justice agencies should be challenged to meet the highest standards for operations, programs and services, and to implement developmentally appropriate approaches to achieve positive outcomes for youth, staff, and families (pbstandards.org). In 2015, the OJJDP launched the Juvenile Reentry Measurement Standards project and selected PbS to lead the initiative. Along with PbS, the Council of Juvenile Correctional Administrators (CJCA) and the Vera Institute of Justice combined efforts to develop the following set of standards organized by four guiding principles and seven practice/positive youth outcome domains:

Guiding Principles:

- Accountability
- Fairness
- Family
- Cross-System Collaboration

Practices:

- Assessment
- Reentry Planning
- Case Management
- Quality Assurance

Positive Youth Outcomes:

- Education and Employment
- Well-being and Health
- Community Connection and Contribution

Data Analysis

During FY 2017-2018 the SCBJP released a total of 105 juveniles that were monitored by SCDJJ aftercare providers. Of those releases, twenty (20) were revoked or received an additional indeterminate sentence with SCDJJ prior to completing parole. Additionally, there were forty-nine (49) arrested within one year of being released by the SCBJP. The most common parole duration for these offenders was a twelve month period, but the durations could range from six (6) months up to twenty-four (24) months

depending on the severity of the crime. There were fifty-two (52) juveniles that "successfully" completed their parole duration during this time period. Of these fifty-two (52), twenty-one (21) had an additional arrest during the 6-18 months since they were released from incarceration. There were also four (4) juveniles that were considered missing (aftercare provider unable to locate juveniles' whereabouts), two (2) that were arrested for murder, and three (3) that lost their life through violence. Furthermore, there were a total of twenty-eight (28) juveniles that successfully completed or were on track to complete parole that were actively working and/or involved in an educational program. In regards to the demographic information of juveniles released by the SCBJP, seventy-one (71) percent were African-American males, twenty-five (25) percent were Caucasian males, and one (1) percent each for African-American females, Caucasian females, Hispanic females, and females of mixed race. These percentages were consistent with the overall population of juveniles serving an indeterminate sentence with the SCBJP.

Given the amount of time and effort that SCDJJ personnel invest in a young offender, one would hope to have better results than the statistics listed above. The most common guideline range for juveniles is 12-18 months which means the juvenile will have the opportunity to benefit from the numerous services offered through SCDJJ for at least one year (Exhibit 5). The education/vocation areas of SCDJJ have equipped these juveniles with skilled trades and education requirements to prepare them for the next phase of their life (Exhibit 6). After evaluating this information, it was clear that a "gap" exists during the reentry process that resulted in almost half of these offenders encountering additional legal issues upon release.

Based on interviews conducted with stakeholders and juveniles, the following key findings were identified:

1. Reentry plan from incarceration to aftercare not consistent among all entities involved.

Reentry planning should engage the youth, their family, and stakeholders who are critical to the youth's success, such as individuals from the juvenile justice facility and probation department, the public school, the health care department, and providers (jjie.org/hub/reentry). One common practice that few will argue is that reentry planning should begin once the juvenile's incarceration is initiated. As the juvenile gets closer to being released, the plan becomes more detailed and all stakeholders are notified of their role pertaining to the juvenile's release. For juveniles under the jurisdiction of SCBJP, they are not afforded the luxury of knowing when they will be released because they are sentenced until the age of twenty-one (21) unless granted a release by the SCBJP. Dr. Roger Jarjoura inferred that this uncertainty regarding the release date could reduce the effectiveness of a release plan due to the juvenile being held in limbo in the transitional phase of the reintegration continuum (EXHIBIT 7). This is evident when a juvenile is scheduled to attend a parole hearing and there is not a concurrence among the social worker, juvenile, and aftercare provider in regards to whom the juvenile will reside with once they return to the community. Another issue that is prevalent is the number of juveniles that are released that cannot receive services or get a job because they do not have an identification card, social security card, or birth certificate. While reviewing the JJMS, it was discovered that this issue impacted several of the juveniles. Given the average amount of time these youth serve, this is something that should be recognized during reentry planning and acted upon to mitigate future problems related to acquiring a

job or enrolling in school. SCDJJ has taken steps to alleviate this issue through their partnership with the Department of Motor Vehicles (DMV). Employees with the DMV recently set up a mobile office on the campus of SCDJJ in order to provide numerous juveniles with state identification cards. Continuing to strengthen these vital partnerships with external stakeholders (Exhibit 8) is imperative to addressing the gaps that exist in the system. Addressing matters related to re-enrollment for Medicaid services, social security cards, and birth certificates during the reentry phase will also prove beneficial to the juvenile's overall success.

2. Aftercare focused on short-term and lacks long-term support.

Services provided to offenders should focus on building strong connections to positive adult, community, or peer support; without those supportive relationships, improved skills or behavior are unlikely to have a long-term impact on public safety (Smith, 2018). In an interview conducted with youth consultant, Jaclyn Cirinna, she felt that many of the people making decisions for the youth are focused on the short-term and do not take the time to find out what the juvenile actually wants for themselves. She stated that those involved with juvenile care were focused on restrictions (who you can associate with, where you can go, what time to come home), but rarely provided juveniles with positive alternatives that would promote long-term success. Before becoming a youth consultant, Jaclyn was involved with the Department of Youth Services in Massachusetts between the ages of 14-17 years old. Her responses were consistent with juveniles that were interviewed regarding not being provided with beneficial options. Juveniles expressed that they felt the legal system was more punitive towards them as they would be reincarcerated instead of being provided the assistance they needed.

3. Unrealistic expectations by juvenile and accountability issues.

As previously discussed, the majority of juveniles being released from SCDJJ have made progress in regards to educational and vocational goals. While these juveniles are making this progress, they are also developing elaborate illusions of making a great deal of money once they are released via the trade that they are learning. Once this juvenile is released to the community, they may have trouble maintaining employment as a result of their new found freedom. The majority of the juveniles released by the SCBJP fall between the ages of 16-17 years old which limits their employment options. Although they may have the skills to work certain jobs, they have not reached the age to enter this job and are not satisfied working at a restaurant or grocery store. Juveniles that were successful thrived in this area and usually worked full-time jobs or were attending school full-time. The matter of accountability can also be tied to reentry planning. Juveniles that were faced with revocation routinely identified their parent or legal guardian as playing a role to them violating parole. Juveniles that have to attend counseling or other out of home services rely on their parent for transportation and sometimes the parent does not have reliable transportation or refuses to transport the juvenile. This occurrence could possibly result in the juvenile being reincarcerated for circumstances that were beyond their control and also could have been prevented with an adequate reentry plan.

Summary and Recommendations

The director of SCDJJ has a vision for the year 2020 that includes reducing recidivism and providing better outcomes for youth and their families (SCDJJ-Accountability Report, 2018). In order to increase positive outcomes for offenders

released by the SCBJP, the agency will need to revamp the release procedures for this population. Currently, these offenders come before the SCBJP for parole hearings the first Monday of their designated month, and if released, will be returning home on Friday of the same week. The official release list distributed by the SCBJP is not distributed to SCDJJ personnel until Wednesday of that week which gives them approximately two (2) days to process the release with the juvenile. This is not an adequate amount of time to mentally prepare a juvenile that has been incarcerated from six (6) to sixty (60) months to return to the community. In comparison, the juveniles that the SCBJP release that are housed with the South Carolina Department of Corrections (SCDC) are not released until the second Friday of the month in order to ensure logistical matters are in order. The Manning Reentry / Work Release Center is a correctional institution designed for adult male offenders who are within 180-days of release back into the community. The last thirty (30) days of the program are dedicated to outside community resources, skill enhancement in the area of employment, and preparation for release (www.doc.sc.gov). Implementing a similar program that solely addresses the juvenile's transition into the community will have a positive impact on juvenile outcomes as it will slow down the process for them.

If the agency could implement a step-down / transition home or unit for this population, the issues related to reentry and discharge planning could potentially be alleviated. Discharge planning should focus on helping youth with any or all of the following issues as needed: locating resources to secure education, employment, and/or vocational training, public benefits, family reunification, stable housing, re-enrollment into health insurance coverage, assistance with resolving substance abuse issues, mastery

of life skills, and learning how to create healthy, positive relationships (jjie.org/hub/reentry). Aligning these transition homes/units along with SCDJJ's major Regionalization initiative would be ideal as it would provide the juvenile with these reentry services closer to their actual living community. As of now, all committed juveniles are housed in Columbia, SC, which creates some barriers with reintegrating juveniles into communities that are a significant distance from the main campus. In the past, the agency has employed reintegration specialist who would assist the juvenile with reentry and discharge planning. This individual could be described as a liaison between the institution and the community. If the agency does not feel the need to dedicate a full housing division to reentry, then it should surely engage the idea of reintegration specialist if they are committed to turning their vision into a reality.

In order to ensure that implementing a transition home or if a reintegration specialist is having a positive impact on reentry, the project must be appropriately monitored and controlled. The key measures for this implementation would include tracking data in the following areas: rearrest rate for juveniles within an 18-month period, revocation percentage pre and post implementation, number of juveniles that received their identification cards or enrolled in school within one (1) month, number of juveniles that are receiving recommended treatment services within one (1) month, and the number of juveniles that have obtained employment within three (3) months. In addition to tracking these measures, exit surveys would be implemented for the juvenile and the aftercare provider to complete individually once the juvenile is scheduled to be released from parole. The purpose of these surveys would be to obtain information from the juvenile in regards to what services were most beneficial to them and what could be improved to

help with the reentry process. The survey completed by the aftercare provider would consist of questions related to the juvenile's level of participation and willingness to attend recommended treatment services. Effective implementation of these methods combined with a strong commitment from all stakeholders in the continuum of care would set a strong foundation for bridging the gap that exists during the reentry process.

References

Development Services Group, Inc. (2017). "Juvenile Reentry." Literature review. Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention. https://www.ojjdp.gov/mpg/litreviews/Aftercare.pdf

Jarjoura, Roger. Zaugg, Nathan. (2016) South Carolina Board of Juvenile Parole: Technical Assistance Report. Center for Coordinated Assistance for States. American Institutes for Research.

Juvenile Justice Information Exchange. https://jjie.org/

Smith, Matt. 2018. "To Cut Recidivism, Focus on Public Safety, Not Technical Violations". Juvenile Justice Information Exchange.

South Carolina Department of Corrections.

South Carolina Department of Juvenile Justice. http://www.state.sc.us/djj/

South Carolina Department of Juvenile Justice Accountability Report. https://www.scstatehouse.gov/reports/aar2018/N120.pdf

EXHIBIT 1

SCBJP Recidivism Trends

[redacted]

3 YEAR SNAPSHOT	STATS
2015-2016	16% Overall w/ 5.6% within the same year of release
2016-2017	20% Overall w/ 4.9% within the same year
2017-2018	15.5% Overall w/6.8% within the same year

EXHIBIT 2

SCDJJ Recidivism Trends

[redacted]

3 YEAR SNAPSHOT	STATS
2014-2015	16.8%
2015-2016	16%
2016-2017	13.9%

EXHIBIT 3

Standard Conditions:

1. I will obey all laws, including but not limited to, state education laws, attend school regularly and obey all school rules and regulations so I will not be suspended or expelled or I will be gainfully employed.
2. I will not leave the state, change my approved placement, school or job without the prior permission of my aftercare provider.
3. I will maintain contact with my aftercare provider while in the community and I will keep all scheduled appointments unless excused by the aftercare provider.
4. I will not own, possess, or use any weapons or instruments which could cause injury to others.
5. I will not fight or harm any other persons.
6. I will not purchase, possess, or use any illegal drugs or alcoholic beverages.
7. I agree to submit to urinalysis tests and/or blood tests when required and agree that the test results may be used as evidence regarding violations of the conditions of my release.
8. I will keep the curfew set by my aftercare provider and parent or legal guardian.
9. Consistent with SC Code Section 63-19-1850(A), I will permit the search or seizure, without a search warrant, with or without cause, of my person, any vehicle I own or am driving, and any of my possessions by law enforcement or any person authorized by law to conduct such a search.

Special Conditions:

1. Must cooperate with the referrals and recommendations of the Department of Juvenile Justice.

EXHIBIT 4

Release Rate Trends

4 YEAR SNAPSHOT	STATS
2014-2015	Release Rate For All Reviews 12.0%
2015-2016	Release Rate For All Reviews 19.7%
2016-2017	Release Rate For All Reviews 21.8%
2017-2018	Release Rate For All Reviews 27.6%

EXHIBIT 5

The following schools and school sites are supervised by SCDJJ's school district. All are fully accredited:

- Graphic Communications
- Horticulture
- Digital Desktop Publishing
- Keyboarding
- Auto Collision Repair
- Culinary Arts
- Parenting Education
- Welding
- Carpentry
- Auto Technology

SCDJJ's school district offers students additional career and technology courses with supporting career development activities:

- Personal Finance
- Army JROTC
- Accounting
- Brick Masonry

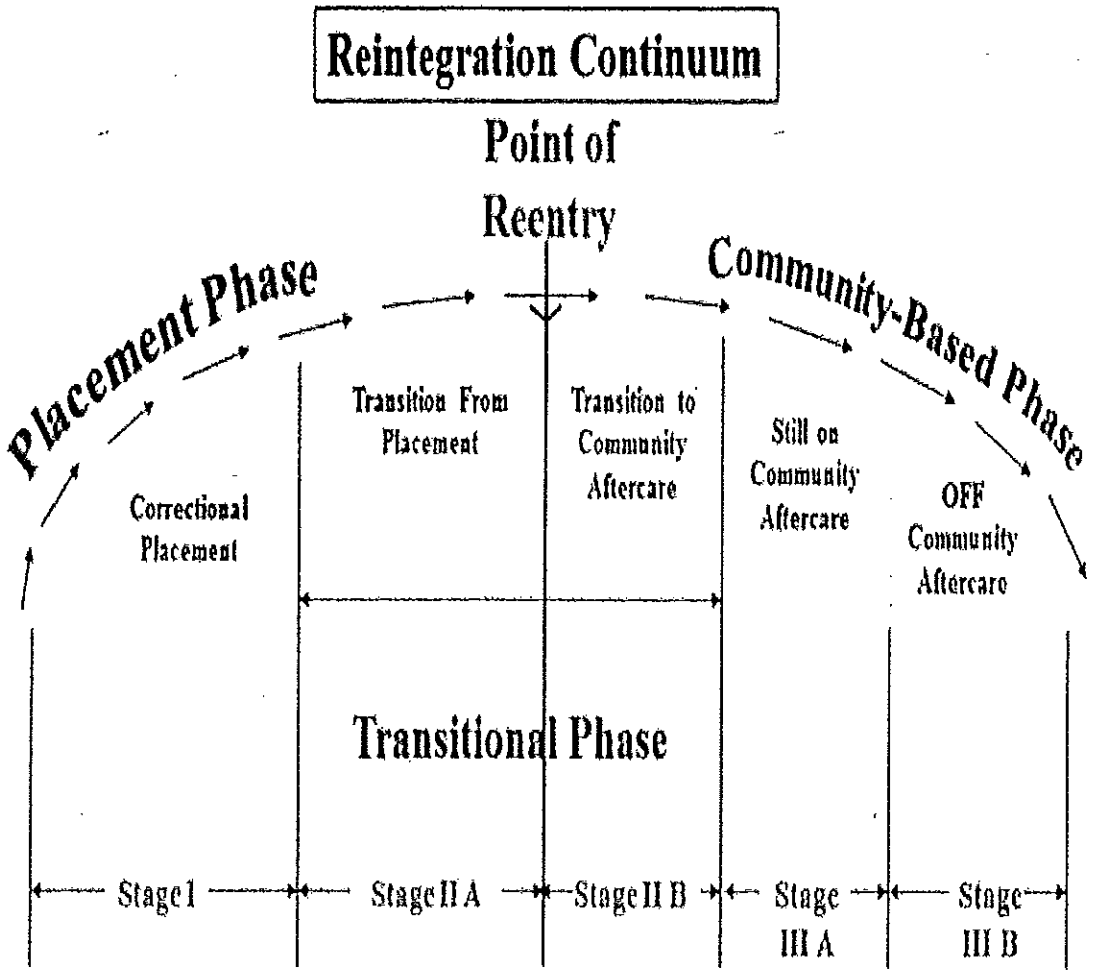
EXHIBIT 6

SCDJJ GED & JRTC

GED - aka. General Education Diploma	JRTC - Job Readiness Training Center
129 GED's earned FY 17-18	163 youth placed on jobs
145 GED's earned FY 16-17	31* youth placed on jobs
111 GED's earned FY 15-16	85* youth placed on jobs

* Job Readiness for Teens (JRT) new measure implemented FY 16-17.

EXHIBIT 7



- Stage 1: the point of admission to an out-of-home placement
- Stage 2A: the latter portion of placement when discharge planning should be finalized
- Stage 2B: the initial period of community reentry/aftercare
- Stage 3A: the duration of community aftercare/supervised release following an initial period of adjustment
- Stage 3B: life without any formal or official justice system jurisdiction

Source: Altschuler and Bilchik (2014) "Critical Elements of Juvenile Reentry in Research and Practice" **(https://csgjusticecenter.org/youth/posts/critical-elements-of-juvenile-reentry-in-research-and-practice/)**

EXHIBIT 8

Agency Name:	DEPARTMENT OF JUVENILE JUSTICE		
Agency Code:	N120	Section:	067

Fiscal Year 2017-2018
Accountability Report

Partner Template

Name of Partner Entity	Type of Partner Entity	Description of Partnership	Associated Goal(s)
SC Board of Juvenile Parole	State Government	DJJ is required to prepare parole reports for juveniles who are indeterminately committed to DJJ. DJJ community specialists provide supervision for juveniles who are conditionally released by the Juvenile Parole Board.	1
SC Department of Mental Health (DMH)	State Government	DJJ collaborates with DMH to ensure treatment and continuity of care for system involved youth in need of behavioral health services. Moreover, a memorandum of agreement is in place between the agencies formalizing the process by which mentally ill youth committed to DJJ are transferred to DMH for treatment purposes.	1, 2, 5
SC Department of Alcohol & Other Drug Abuse Services (DAODAS)	State Government	DJJ collaborates with DAODAS to ensure treatment and continuity of care for system involved youth with a mental health and/or co-occurring substance use disorder. Both entities are founding members of the Joint Council on Children and Adolescents and the Palmetto Coordinated System of Care.	1, 5
SC Department of Social Services (DSS)	State Government	DJJ collaborates with DSS in an effort to coordinate services for youth who are served by both agencies. Both entities are founding members of the Joint Council on Children and Adolescents and the Palmetto Coordinated System of Care.	1, 2, 5
Department of Public Safety (DPS)	State Government	DPS administers the Juvenile Justice and Delinquency Prevention Act and the related grant funding. This federal legislation imposes certain requirements/restrictions on state and local governmental entities in regards to juvenile criminal and status offenders.	1, 2
University of South Carolina's Children's Law Center	Higher Education Institute	DJJ has a long standing relationship with the Children's Law Center (CLC) to provide technical assistance regarding juvenile issues and workforce development.	8
Clemson University	Higher Education Institute	DJJ has a long standing relationship with the Youth Learning Institute, YLI is a critically important,training partner.	8
State Law Enforcement Division (SLED)	State Government	SLED provides technical and investigatory assistance to DJJ in certain cases. A long standing memorandum of agreement is in place governing the conditions that merit assistance from SLED.	N/A
Department of Vocational Rehabilitation(DVR)	State Government	There is a memorandum of agreement in place between the agencies regarding the co-location of a DVR employee at DJJ. DVR and DJJ are working to ensure that eligible youth are linked to appropriate services upon release to the community.	2, 3, 4