



# Juvenile Justice In Arizona

THE FISCAL FOUNDATIONS OF EFFECTIVE POLICY

JANUARY 28, 2016





# Promising Signs

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A multi-year decline in juvenile arrests

Research on adolescents' neurological processes differ from those of adults (e.g. SCOTUS & Obama)

Studies confirming negative effects of confinement

Research showing most juvenile offenders can be safely, effectively and more cheaply treated in community

A continuing drop in commitments to Adobe Mountain School



# A Less Promising Sign

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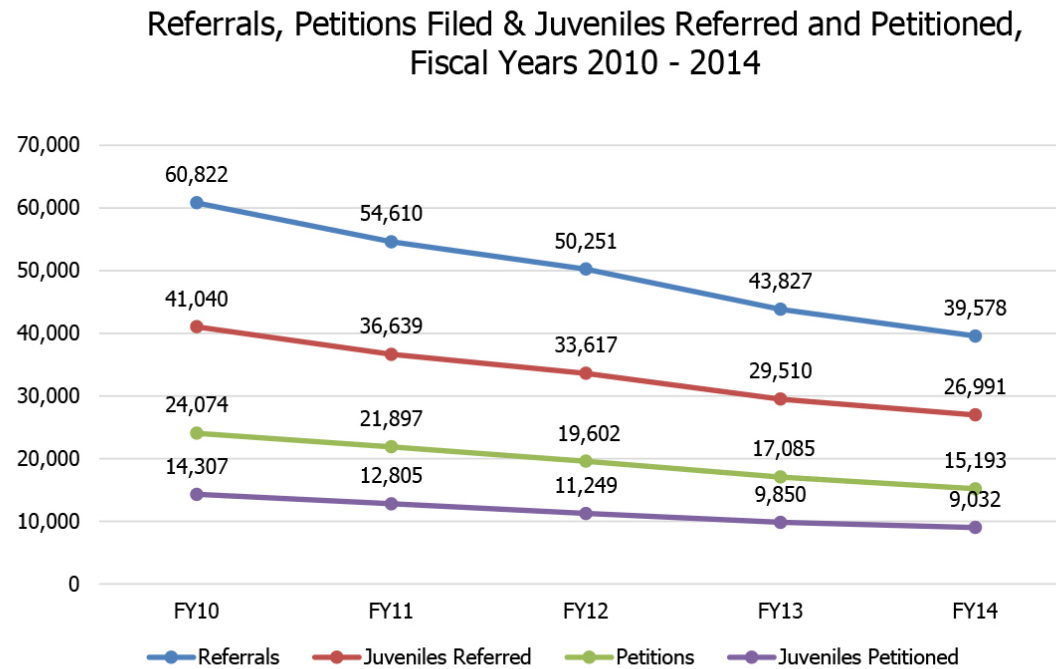
**Senate Bill 1478 (2015)** imposes a new annual fee on each county to support ADJC. Counties assessed by total population

Saves state money, but reduces funds for local programs, could in the future incentivize courts to send marginal youth to ADJC



# Background: Youth Referrals Decline

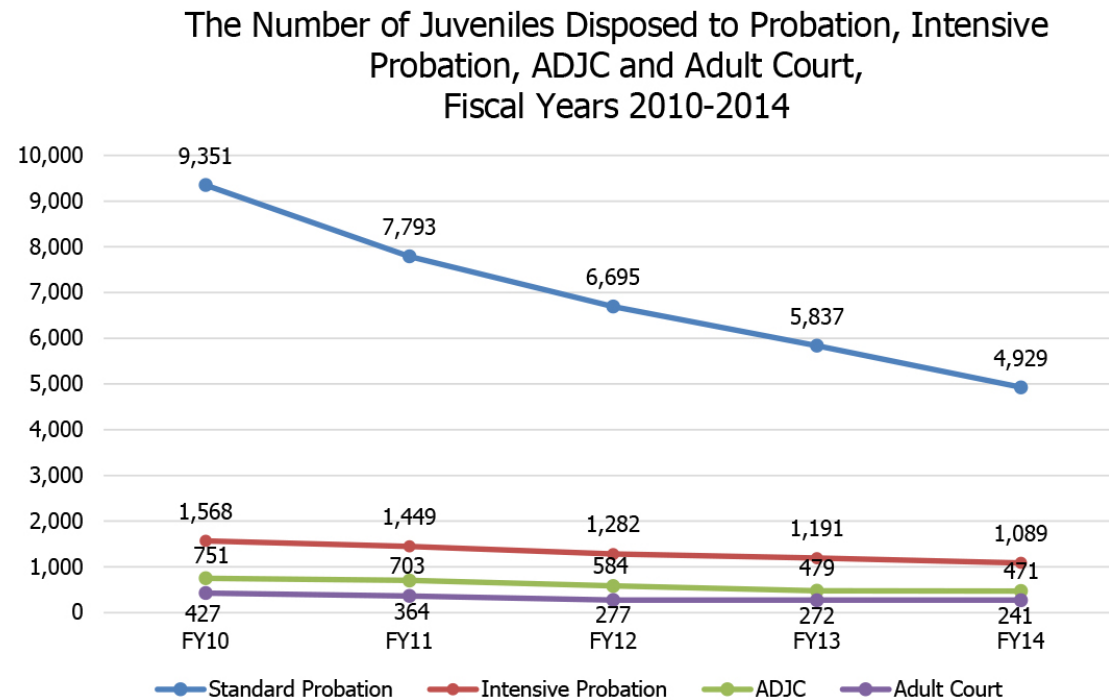
**Figure 1**



Source: Supreme Court of Arizona

# Dispositions Decline

**Figure 2**

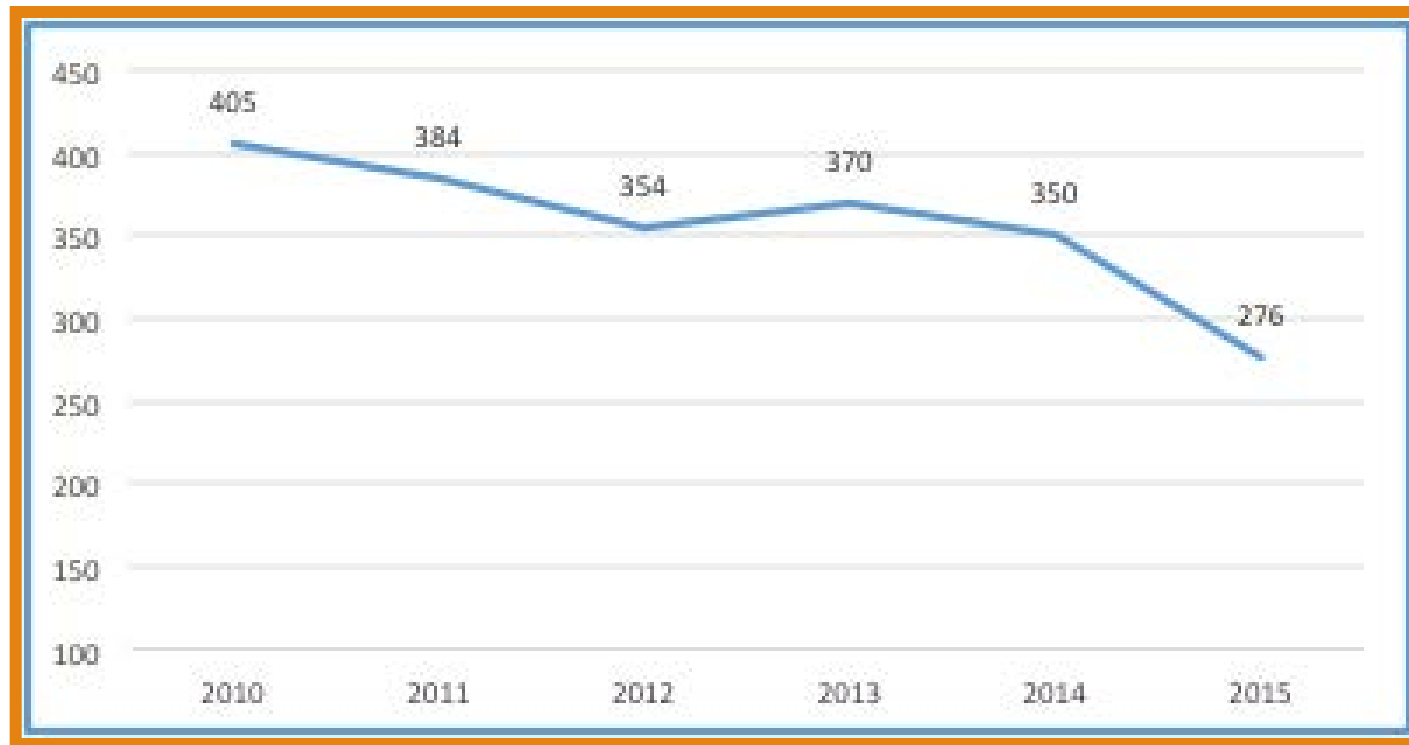


Source: Supreme Court of Arizona



# Adobe Mountain Census Declines

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# The Case Against Confinement

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## Arguments for incarceration:

Incapacitation  
Deterrence  
Rehabilitation  
Punishment\*



## Some juveniles require secure confinement, but:

- Routine use of incarceration does not reduce delinquency, and may promote it
- Adolescents' brains are different from adults' brains. Many youths less able to focus on tasks, resist impulsive actions and adhere to rules; most mend their ways as their brains mature
- A high percentage of children in system suffer from mental illness and/or the aftermath of trauma

# Pathways to Desistance

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Edward Mulvey's *Pathways to Desistance Study* (2011) generated most comprehensive data set on serious juvenile offenders, following 1,354 serious offenders for 7 years after conviction.

## Key Findings:

- Most youth greatly reduce offending over time, regardless of interventions
- Longer stays in youth prisons do not reduce recidivism.
- Community-based supervision works for youth who were incarcerated for serious offenses.
- Substance-abuse treatment reduces substance use and offending for some period of time

# A Vulnerable Population

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Many youth in system are psychologically vulnerable, coping with trauma of various sorts and suffering from higher than average rates of behavioral disorders.

Among youth committed to ADJC secure confinement in FY14:

**31%** suffered from a serious mental illness

**21%** were in special education

**18%** were dually adjudicated – delinquent and dependent

**18%** arrived with zero high school credits





# Disproportionate Minority Contact

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Race/Ethnicity of Admissions to ADJC  
Fiscal Years 2010 - 2014

Race/Ethnicity	FY 2010	FY 2011	FY2012	FY 2013	FY 2014
Hispanic	50%	47%	46%	47%	48%
Caucasian	27%	29%	31%	29%	26%
African American	14%	15%	14%	16%	7%
American Indian	5%	5%	5%	5%	7%
Mexican National	2%	3%	4%	2%	5%
Asian	<1%	<1%	<1%	1%	<1%
Other	<1%	<1%	<1%	<1%	<1%

Source: ADJC

# Benefits of “Staying Home”

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Community-based treatment can help:

- Reduce recidivism
- Cut public costs
- Shield offenders from the stigma of institutionalization
- Ease youth's transition away from CJS
- Reduce association with youth with more serious delinquent histories
- Maintain positive ties between the youth and his/her family and community.

# Impact of SB1478

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First two provisions will tend to further reduce the Adobe Mountain census:

- 1)** Raising the minimum ADJC age from 8 to 14
- 2)** Restricting commitments to youth adjudicated delinquent for a felony, misdemeanants who have a record of prior felonies, or youth who are SMI

# A New Architectural Feature

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**SB1478 – Original Version:** “DJC Local Cost Sharing Fund” pays 25% of ADJC’s budget. Counties contribute proportionate to how many youth they commit to ADJC. Total contributions must equal \$12 million

**SB1478 – Final Version:** Each county pays a share of the \$12 million based on the county’s total population – regardless of ADJC commitments



# Changing County Fees

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Fees Paid by Kids Sent

Apache	\$25,200
Cochise	\$916,800
Coconino	\$510,000
Gila	\$254,400
Graham	\$204,000
Greenlee	\$50,400
La Paz	\$50,400
Maricopa	\$6,140,400
Mohave	\$687,600
Navajo	\$127,200
Pima	\$814,800
Pinal	\$814,800
Santa Cruz	\$280,800
Yavapai	\$433,200
Yuma	\$687,600

Fees Paid by population

Apache	\$134,300
Cochise	\$246,600
Coconino	\$252,400
Gila	\$100,600
Graham	\$69,900
Greenlee	\$15,800
La Paz	\$38,500
Maricopa	\$7,166,000
Mohave	\$375,800
Navajo	\$201,700
Pima	\$1,840,300
Pinal	\$705,400
Santa Cruz	\$89,000
Yavapai	\$396,200
Yuma	\$367,500



# Ideas from Elsewhere

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**States planning/implementing changes range across the country. Examples:**

**Illinois.** Redeploy Illinois program provides financial incentives to counties to reduce confinement and develop community-based alternatives.

**Ohio.** State gives counties a fixed budget but requires reimbursement for each committed youth.

**Pennsylvania.** Reimburses counties 80% of the costs of community-based programs, 60% of the cost of secure commitments

**Alabama.** State plan favors least restrictive setting possible gives \$1 million to local courts for alternatives to detention



# What is To Be Done?

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## *2013 Comeback /Coming from Behind States*

*(National Juvenile Justice Network/Texas Public Policy Foundation)*

Increased availability of alternatives to incarceration

Intake procedures reduce the use of secure detention (risk-assessment)

Closing or downsizing secure facilities

Preventing incarceration for minor offenses

Restructured financial responsibilities among states and counties



# Next Steps for Arizona?

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## **Policy options for discussion include:**

1. Make no changes. Maintain the current policy.
2. Eliminate county fees and revert to prior funding system
3. Base county fees on numbers of committed youth, but protect smaller counties
4. Give each county a fixed level of annual funding but require it reimburse the state for each committed youth; the counties keep remaining funds
5. Close Adobe Mountain, abolish ADJC, use funds for community-based programming.



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