

**DETENTION ALTERNATIVES AS A SOLUTION TO THE PROBLEMS WITH THE
BALTIMORE CITY JUVENILE JUSTICE CENTER**

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EXECUTIVE SUMMARY

According to the U.S. Department of Justice, the Baltimore City Juvenile Justice Center is failing to meet the needs of the youth who are detained there. High incidents of violence within the center and the risk of suicide present physical dangers to these incarcerated juveniles. Mental healthcare and educational opportunities are severely lacking. The majority of follow-up reports point out insufficient staffing and structural deficiencies within the Center as potential explanations for these problems. However, to date, there has been no mention of the possible over-detainment of youth, rather than the understaffing, in this secure facility.

The current research on detention suggests several possible dangers of unnecessarily detaining youth. Recidivism rates remain consistently high. Once youth become involved in the juvenile justice system, they often cannot find their way out. They have trouble enrolling in school upon release from detention, fall into deviant peer groups, and may be labeled “delinquent”. These negative consequences, combined with the cost-ineffectiveness of detention, support the use of alternatives.

Many incarcerated youth are detained for non-violent offenses. Therefore, these individuals would be better served in rehabilitative services rather than secure detention. The Center should be reserved for youth who pose a high risk to the community.

Current risk assessment instruments can determine the appropriateness of detention versus an alternative program. If the level of risk for a particular youth is deemed to be low or moderate, he or she should be referred to a community alternative. Alternatives to detention include outright release, supervised release, and graduated sanctions. Research continually demonstrates the effectiveness of these programs. In addition, they have been shown to cost far

less than detention. Baltimore currently offers many of these programs. However, they are being underutilized.

It is recommended that Baltimore refer more non-violent youth to these alternative services in order to fully take advantage of their benefits. There are also additional programs that should be implemented. For example, more local reporting centers are needed. Evidence-based practices, such as MST and community conferencing, should be initiated. Graduated sanctions for warrants and violations are needed in order to reduce the automatic detainment of these non-violent youth. By making these recommendations a priority in juvenile justice, the population within the Center would be greatly reduced and the deficiencies pointed out by the Department of Justice would be addressed.

BACKGROUND

In June 2005, the U.S. Department of Justice (DOJ) informed the Baltimore City Juvenile Justice Center (BCJJC) of its intention to conduct an investigation regarding the treatment of detained youth within the Center. Between September and October, 2005, the DOJ collected the necessary data from State and facility documents, interviews with BCJJC staff and residents, and observation of daily proceedings with the BCJJC. The study concluded that the rights of the detained youth were being violated. The BCJJC was deemed “unconstitutional”.¹

There were four areas that the DOJ highlighted as being particularly problematic. First, the rate of youth-on-youth violence within the facility was 47% higher than the national average for similar institutions. Many factors contributed to this high rate including inadequate behavior management plans, insufficient staffing, and environmental hazards (e.g., chairs being used as weapons). Second, the risk for suicide was greatly increased due to the presence of hazardous items and structural dangers, such as weapons and balconies. In addition, suicidal youth were not properly monitored by staff. Third, mental health care was lacking. Screening and assessment upon entering the facility were often not thorough, inconsistent, and poorly documented.² Consequently, treatment plans, case management, and record-keeping were also ineffective. There also existed flaws in the confidentiality of communications between detained youth and mental health staff. Lastly, the report found deficiencies in special education services. Both access to special education and development of individualized education plans (IEPs) was severely lacking.³

DEFINITIONS⁴

The language used within the juvenile justice field is often confused with that of the adult system. Before elaborating on the problems in Baltimore and their possible solutions, it is first necessary to understand the terminology.

Youth – “The preferred term for individuals under 18 years of age as used by the Maryland Department of Juvenile Services.”⁵

Adjudication – “The court process that determines (judges) if the juvenile committed the act for which he or she is charged. The term ‘adjudicated’ is analogous to ‘convicted’ and indicates that the court concluded the juvenile committed the act”.

Disposition – “Definite action taken or treatment plan decided on or initiated regarding a particular case after the judicial decision is made”. This is similar to sentencing in adult court. The possible dispositional categories are transfer to adult court, placement, probation, dismissed, other.

Detainment – The holding of individuals in a placement “prior to adjudication while awaiting an adjudication hearing in juvenile court, as well as juveniles held after adjudication while awaiting disposition or awaiting placement elsewhere. Also includes juveniles awaiting transfer to adult criminal court, or awaiting a hearing or trial in adult criminal court”. Detention centers are temporary, secure, and should be short-term.

Confinement - Committed youth include those who have been adjudicated and committed to a placement in juvenile courts or those who have been convicted and sentenced in criminal courts.

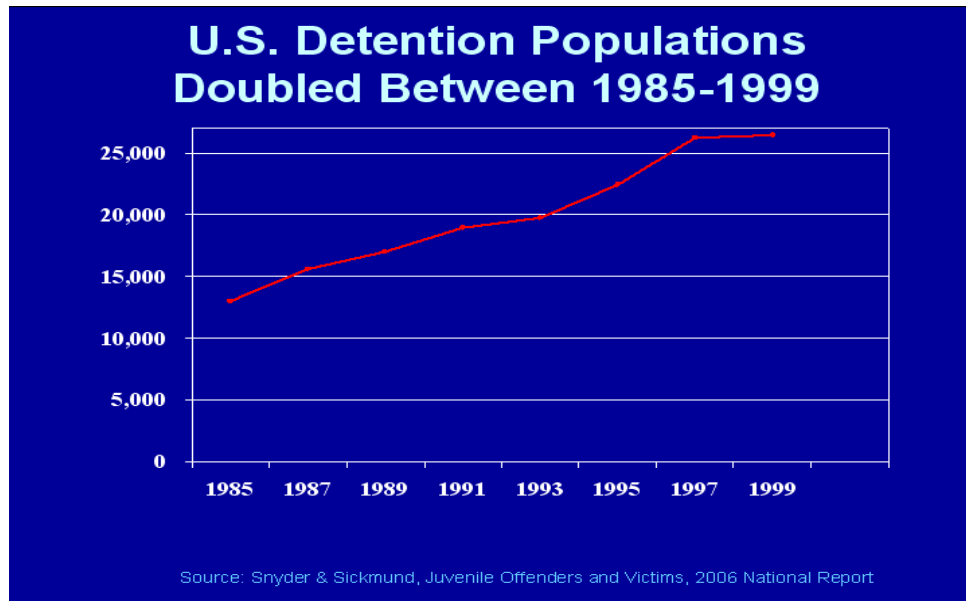
CORE PROBLEM

Under staffed or overpopulated facility?

A common theme in the initial DOJ report and also in the independent monitor's reports is the insufficient staffing levels.⁶ A follow-up visit to the BCJJC just weeks after the release of the DOJ findings and the subsequent report highlighted the consequences of not enough staff on duty.⁷ These reports detailed an incident in which a youth sustained head injuries due to an attack by several other youth while only one staff was responsible for 12 youth. The recommended staff-to-youth ratio is 1 to 8.⁸

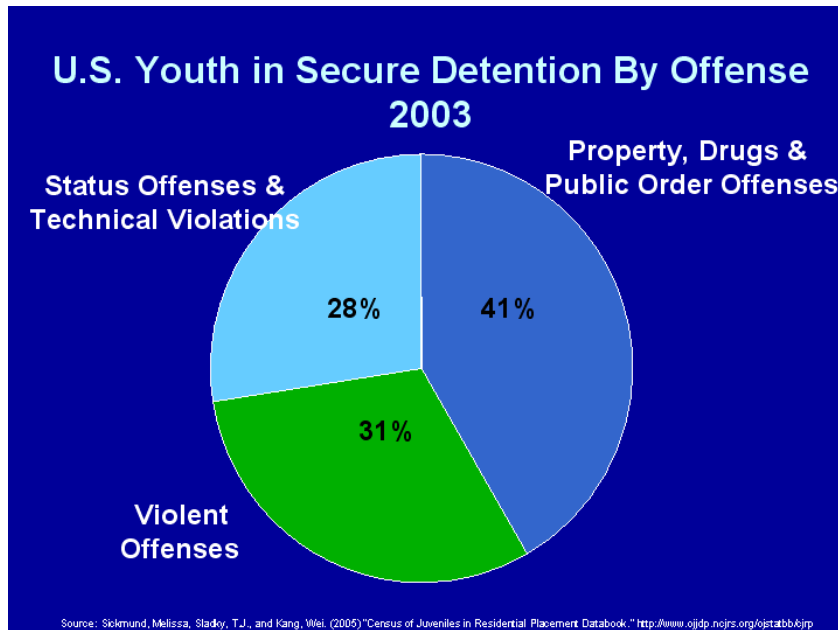
This inadequacy may be at the core of each of the four above problem areas. With more staff, there would be more monitoring of youth, which would lead to less risk for violence and suicide. In addition, more mental health and educational staff would allow for better quality of care and teaching.

The current approach to resolving problems in staff shortages has been to determine how to increase the number of staff and reduce staff turnover.⁹ However, there is a shortcoming with this method; it assumes that the problem lies in the number of staff and not in the number of juveniles detained. Public detention facilities all over the country are overcrowded. Close to 70% of these facilities are operating over capacity.¹⁰ Much of the current literature on juvenile justice speaks to the over-detainment of youth.^{11,12}



Reprinted from the JDAI website: <http://www.aecf.org/initiatives/jdai/about.htm>

It is common practice to detain or commit youth for relatively minor crimes. Of the 26,269 youth detained in the United States in 2003, 5,100, or 19%, of their crimes were deemed violent.¹³ These crimes include homicide, violent sexual assault, aggravated assault, and robbery. Similarly, 24% of all committed youth have carried out a violent crime. This means that over 80% of youth in the U.S. who are detained and over 75% who are committed are non-violent offenders. This appears to be a particularly salient problem in Maryland where 88% of the youth in detention facilities have committed non-violent offenses.¹⁴



Reprinted from the JDAI website: <http://www.aecf.org/initiatives/jdai/about.htm>

There is also evidence that these “get-tough” strategies may be detrimental for the detained youth. Youth who are detained are more likely to have negative outcomes such as being formally charged with a crime and being committed to an institution.¹⁵ In addition, detention disrupts the everyday life of the youth. School attendance, family obligations, and outside service connections may all be interrupted.

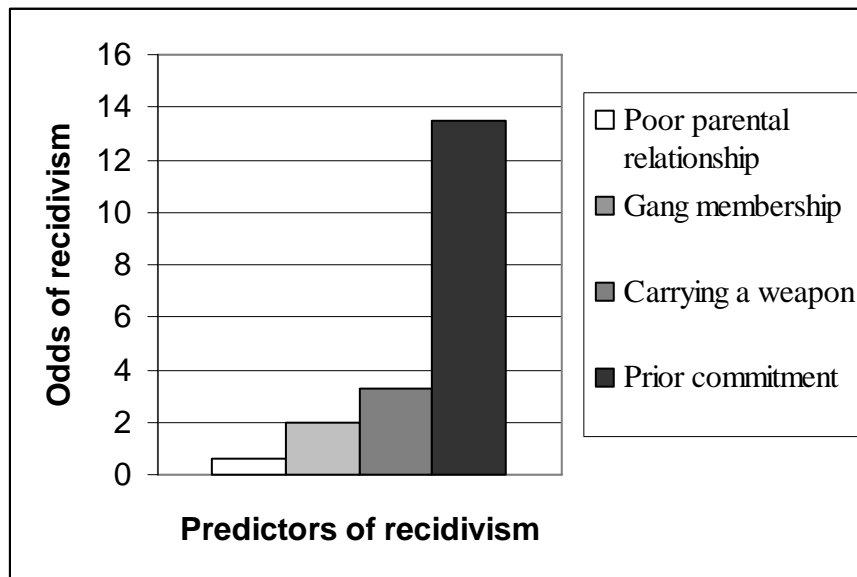
DANGERS OF DETAINING YOUTH

The unnecessary detainment of non-violent youth can be harmful to youth, their families, and the larger society. Locking more and more youth away in secure facilities is not making the communities any safer. A great deal of the research shows that this get-tough strategy is ineffective at reducing juvenile crime.^{16,17,18} Rates of serious juvenile crime have not been shown to be less in states with rates of more incarceration of youth.¹⁹ In fact, the results of

detainment may actually be more harmful to society in the long run as can be seen in the following list of consequences.

Recidivism

Studies continue to confirm that recidivism rates among juveniles remain high. The National Council on Crime and Delinquency (NCCD) observed rearrest rates of more than 70% in the states that they examined.²⁰ In another study, the NCCD found that a record of prior incarceration was the strongest predictor recidivism.²¹ The recidivism rate of youth who were detained in Maryland has been estimated to be nearly 80%.²² In general, incarceration appears to increase crime for most juveniles rather than deter them. Therefore, contrary to previous claims, detention does not improve public safety.



Reproduced from Holman and Ziedenberg (2006).

Deviancy training

Many critics suggest that detainment in the juvenile system sets a youth on the path to future offending. “Peer deviancy training” can occur when many delinquent youth are brought together. One study found that youth who are treated in a group setting, such as in a detention

center, had higher recidivism rates and poorer outcomes than those youth who were not treated together. These effects lasted into adulthood when youth who were treated in group settings had higher rates of substance abuse, violence, school problems, and adjustment difficulties. Possible explanations for this phenomenon are that youth form positive attitudes towards antisocial behavior, start to affiliate with antisocial peers, and learn to identify themselves with delinquent behavior.²³

Justice system involvement

With each incarceration, a youth becomes more and more likely to have future contact with the courts. Among youth with no prior contact with the court system, 41% returned to court. However, of those with seven prior contacts, 79% had future court involvement.²⁴ Youth who are detained are more likely to be referred to the court, to be processed through adjudication and disposition, and to receive a harsher disposition.²⁵ One of the most appalling statistics stated in this report is that youth who are detained are three times more likely to be committed to a juvenile facility.²⁶

Labeled as delinquent

A classic social psychological theory, labeling theory, may also speak to the detrimental nature of detaining youth. Involvement with the justice system will initiate the juvenile's reputation as a criminal. Labeling theory would argue that once a youth is detained and subsequently labeled as a "delinquent", the societal reaction to that label will force the youth into deviant peer groups and drive him or her down the criminological path.²⁷

School reentry

Detaining a youth impacts his or her educational experience. The shift into a detention center removes the youth from the curriculum he or she was following at school. Often, the

education offered in detention centers is elementary in order to accommodate all of the youth who are being taught. Upon release, the youth may not understand the process needed to reenter into his or her previous school. There may be a period of time in which the youth is not in school at all. In addition, the record transfer between schools and detention centers is often very poor. The detention center may not know what educational level the youth is on, and the school may not be aware of the material that was covered in the detention center classroom. This process is even more unfavorable for youth in special education.²⁸

Aging out of delinquency

Research has suggested that many youth desist from delinquent behaviors on their own without intervention. Much of the work on aggressive behavior, the most significant risk factor for delinquency, has delineated two types of aggressive youth: early and late starters.^{29,30,31} Late starters typically engage in aggressive behaviors due to peer influence and have well-established social and academic skills. These youth typically “age out” of delinquency. However, detainment could interrupt this process through the aforementioned mechanisms such as deviancy training or labeling theory.

Cost-ineffective

Despite the growing tendency to lock up youth, detention has been shown to be much more expensive than its alternatives. The annual average cost of a detention bed for one year in the U.S. ranges from \$32,000 to \$65,000.³² In Baltimore City, the average annual cost of detention per child is approximately \$70,000 to \$75,000, including administrative costs.³³ This cost estimate, taken in consideration with the fact that the average population in the BCJJC is 112 youth, highlights the exorbitant cost of detaining these youth and the importance of

alternatives. In Maryland, the average cost of one day of a detention alternative is approximately one-quarter the daily cost of detention.³⁴

The cost of building secure facilities is also very expensive. The BCJJC was estimated to cost \$39 million, but the total project cost exceeded \$63 million. In spite of this figure, the results of the DOJ report have prompted additional construction costs, such as making the second-tier railings “suicide-proof” and replacing the bed frames with ones that are acceptable for a correctional facility. The final cost will be far more than the cost of alternatives. Unfortunately, these high costs of detention do not equate a substantial reduction in crime.

Additional negative outcomes

In a policy brief released by the Justice Policy Institute, the impact of detention on a multitude of factors was examined. It was found that unnecessary detainment can exacerbate mental illness, increase the risk for suicide, interfere with schooling, and reduce opportunities for successful employment.³⁵

These recidivism rates and other negative outcomes have not dissuaded the funding of correctional institutions for youth. In 1999, residential institutions in Maryland received \$80 million in funding, whereas community alternatives received only \$11.9 million.³⁶ The paradox in this approach lies in the fact that many of the youth who are detained in institutions are much better suited for community programs. The majority of youth have been incarcerated for non-violent offenses. This point becomes particularly significant when the original purpose of detention centers is recalled. Detention centers are meant to be “high security institutions” that house youth waiting their adjudication hearing.³⁷ Therefore, youth who are not thought to be a risk to society should not be deemed in need of high security. The Juvenile Justice and Delinquency Prevention Act of 1974 was a turning point for non-violent and non-dangerous

youth. This Act encouraged the development of community-based programs as an alternative to incarceration for these youth.³⁸ Unfortunately, this goal has yet to be reached.

The aforementioned points speak to the need for us to be reminded of the original tenet of the juvenile justice system: the rehabilitation of youth. It is this standard that differentiates the underlying assumptions of the juvenile justice system from the punitive criminal justice system. Many times, especially in the get-tough eras, the ideology of rehabilitation is forgotten and replaced with the adult principles of punishment and deterrence. Unfortunately, as stated by Barry Krisberg, “the reality of rehabilitation rarely matched its rhetoric”.³⁹

If rehabilitation of juvenile offenders is the goal, then only the most severe cases should be detained. This would help to ensure appropriate and effective treatment for these youth. In addition, this would eliminate the unnecessary detainment of non-violent youth. These youth could receive appropriate services, which differ from those of violent youth. The following solutions are alternatives suggested for non-violent offenders.

RISK ASSESSMENT INSTRUMENTS

Before discussing the alternatives, an objective criterion is needed to determine whether or not a youth is eligible for an alternative to secure detention. As set forth by the Juvenile Detention Alternatives Initiative (JDAI), a project of the Annie E. Casey Foundation, a risk assessment instrument (RAI) should be used to establish the appropriate level of restriction. A RAI can determine whether the youth is a high, moderate, or low risk for missing his or her adjudication hearing or rearrest before the court date.

There are many variables that have been correlated with risk for fleeing or rearrest. These include the severity of the crime, prior adjudication, current legal status (e.g. whether or

not the youth is already on probation), and prior detention failures (e.g. failure to appear or rearrest prior to adjudication).⁴⁰ These variables are measured on a RAI and weighted to determine the risk score. Certain RAI scores signify certain risk levels and consequently certain alternative options.

In Baltimore City, RAI scores that suggest an outright release of the youth is the best course of action range from 0 to 14. A RAI score of 15-22 indicates that detention alternatives are appropriate. Lastly, a RAI score of 23 or greater would suggest that the youth is a high risk and that secure detention is necessary. While this scoring scale is used in most cases, it is still possible for a supervisor to override the RAI and recommend an alternative solution.

ALTERNATIVES FOR DETAINMENT OF NON-VIOLENT YOUTH

While it is not necessary to detain non-violent youth as they are not a threat to society, there is still a need for rehabilitation. One of the faults with the BCJJC is that it is not using these alternatives to its full capacity. With a reliance on these alternatives rather than detention, the population in BCJJC would be reduced and many of the concerns pointed out by the DOJ report would be addressed. The following are descriptions of programs which may help ensure that non-violent youth receive the services that they need.

In Baltimore City, alternatives to detention include outright release (home), release to home with additional services, release to home under community detention and/or electronic monitoring, evening reporting centers, family shelter care, structured shelter care, acute care hospitals, and psychiatric respite care programs.

Outright release

One alternative to detention is to release a youth to his or her parents prior to adjudication. This alternative would still require that the youth appear for the adjudication hearing, but he or she would spend the time prior to the hearing at home. There is some evidence that these youth are slightly more likely to miss their adjudication hearing, but the overall effectiveness of this alternative has yet to be documented.⁴¹

In Baltimore City, outright release is currently utilized in certain cases. As previously stated, when a youth scores 14 or less on the current RAI, outright release is deemed appropriate.

Supervised release

Youth who are eligible for release but still pose some level of risk for future offending and/or failure to appear to their adjudication hearing may be placed on supervised release. This alternative will provide more supervision than outright release and will also serve to link the youth with services as necessary. In Baltimore City, these supervised release options may be suggested for youth who score 15 to 22 on the RAI.

Home/community detention.^a Youth released to community detention often have restrictions on when they can leave the house. Many times they are allowed to attend school and/or work, but must return home promptly. Case workers may call or visit the home to ensure that the youth are abiding by these conditions. Drug testing may also be part of community detention.

Studies have shown community detention to be less expensive than detention or other placements. In most cases, youth on community detention appear for their court date and do not commit new offenses while awaiting court. Those who do return to secure detention tend to do

^a Both home detention and community detention are used interchangeably, and refer to the same thing. For this paper, the term community detention will be used in order to align with Baltimore City terminology.

so because they violated their conditions of release rather than committed a new offense. Some jurisdictions have shown success rates as high as 97 percent.⁴²

In Baltimore City, community detention is described as a program monitored by the Department of Juvenile Services (DJS) in which a delinquent child or a child alleged to be delinquent is placed in the home of a parent, guardian, custodian, or other fit person, or in shelter care, as a condition of probation or as an alternative to detention. Community detention may also include an electronic monitoring device.

Electronic monitoring. This alternative is often used in conjunction with community detention. An electronic monitoring device is attached to the youth's ankle or wrist. This device tracks the youth's whereabouts to ensure he or she is not violating the conditions of release. In most cases, as with community detention, the youth is to leave the house only to go to school and work. The device will alert the case manager if the youth is elsewhere.

Baltimore City utilizes two forms of electronic monitoring. Like many other jurisdictions, ankle monitoring devices are used to track the youth's location. Another option is the voice recognition alternative. In this case, phone calls are randomly made to the youth's residence during the hours that he or she is to be there. A device ensures that it is the youth's voice that takes the call to eliminate the possibility of other people verifying that he or she is home.

Intensive supervision. With intensive supervision programs, a case plan is typically made to outline the conditions which the youth will meet and the outcomes which they will attempt to succeed while under the supervision of a case manager or advocate. These outlines detail all facets of the youth's life including school, work, recreation, family, and treatment.

Studies have shown that the recidivism rates of youth who complete intensive supervision programs are less than half of the rates of those who were detained.⁴³

There are currently two intensive supervision alternatives in Baltimore.⁴⁴ The youth advocate program (YAP) pairs the youth with an advocate with whom they meet 20 to 22 hours per week, mainly in the evenings. The advocate serves as a trusted adult who can mentor the youth. In addition, the advocate helps the youth with many tasks such as finding services, getting into school, and working on family problems. Research has shown YAP to have an 80% success rate nationwide.

The second intensive supervision alternative in Baltimore is functional family therapy (FFT). This is a family-focused alternative that seeks to address problems in family communication and problem solving. FFT is considered a model program by the Center for the Study and Prevention of Violence's Blueprint for Violence Prevention initiative. Empirical literature demonstrates the effectiveness of FFT to reduce recidivism rates.⁴⁵

Reporting centers. Day and evening reporting centers function as non-secure alternatives that provide structured activities and supervision. Youth arrive at the reporting center and describe their daily activities to the case manager. They also participate in activities, tutoring, community service, and vocational training. Similar to the intensive supervision programs, reporting centers require youth to be accountable for following the conditions of release.

Baltimore City currently has one evening reporting center in the Druid Hill. This center has a high success rate. Of those youth who are assigned to the reporting center, 85% of them did not reoffend between the time they spent at the center and their court date.⁴⁶ Baltimore is currently trying to open another reporting center in the Waverly neighborhood. If plans are

approved, this center will be modeled after the one in Cook County, Illinois which has had much success. Cook County has been able to cut admissions into its detention center and reduce the number of youth who failed to appear in court since the center's opening.

Skills training. Juvenile offenders often lack the skills necessary to help them succeed. Many times, early disruptions in childhood lead to poorly developed academic and social skills. Skills training may be the solution to assist these youth in achieving a productive life.

Baltimore has been recognized by the Office of Juvenile Justice and Delinquency Prevention for their promising program called "Fresh Start". This is an alternative to detention in which youth are required to attend a daily training for nine months where they learn carpentry, boat building, construction, and work towards their GED.⁴⁷ The items that they build are sold and the money from those sales goes into a group savings account. The youth are awarded money from this account upon graduation. The amount dispersed is determined by a point system. The goal of the program is to build skills while preparing for employment.

Residential programs. There are times in which an outright release is the appropriate course of action, however, some youth may not be able to reasonably or safely return to their previous living situation. In these situations, youth may be referred to a residential program.

Structured shelter care is Baltimore's residential alternative to detention. According to the Maryland Department of Juvenile Service's (DJS) website, "structured shelter care serves youth who have been removed or displaced from their homes and families and are in need of short term care for up to 90 days. The age range is 12 to 18 years of age."⁴⁸ Youth in structured shelter care may be Children in Need of Supervision (CINs). CINs are youth who commit offenses that would not be deemed criminal if committed by an adult. Examples include truancy and running away. These youth may not need to be adjudicated delinquent or committed to the

BCJJC. The goals of the program are supervision, case planning, short-term intervention strategies, access to healthcare, and emotional support while the youth is awaiting return home, a court hearing, or more permanent placement.

Emergency hearing. Much of the general research on detention alternatives did not list procedures for managing the population in a facility when it approaches capacity. Baltimore City's policy, an emergency hearing, is considered one of the City's alternative programs. When the population in the BCJJC reaches 130 youth, all stakeholders, including judges, advocates, and BCJJC personnel convene a hearing where they identify youth who can be referred out to the different alternative programs. This program started six months ago and no evaluative data has yet been presented on its effectiveness.⁴⁹

Graduated sanctions

One area of juvenile justice reform which has been receiving a lot of attention is the automatic detainment of youth who have an outstanding warrant or a technical violation such as a violation of probation. Once arrested for a warrant or violation, these youth receive mandatory detention and are not afforded any other option. Their risk is typically not screened as detention is deemed necessary. Nearly 50% of new admissions into detention in some jurisdictions can be comprised of these technical violations.⁵⁰ A graduated sanction alternative would allow the disposition for violators to be controlled by the severity of the violation behavior and by the risk the youth poses. The youth's risk level coupled with the severity of the violation would point to an appropriate disposition. For example, a youth with a minor violation who poses little risk may be assigned to one day of community service. Without a graduated sanction alternative, this youth would be automatically detained. Two examples of graduated sanction programs have been found to be very effective at controlling detention populations and reducing crime.⁵¹

Warrants. A warrant is an order for a youth to be taken into custody. A warrant may be issued for multiple reasons. The most common is failure to appear in court (FTA). There are many problems with the manner in which warrants are currently handled. The risk level of these youth is not assessed and they are automatically detained. These automatic policies can quickly increase a detention center's population. Another downside to the current system is that the reason for the FTA is not taken into account. There may have been transportation issues, the court date notification could have been sent to the wrong address, or the court date could have been changed without the youth's knowledge. For these reasons, the explanation of the FTA should be considered a mitigating factor. Lastly, the period of time between arrest and the court date can be quite lengthy. A piece of paper handed to the youth months earlier may not serve as an appropriate reminder of an upcoming court date.

Violations. Violations are situations in which youth abuse the conditions under which they were released. These may be violations of any type of supervised release program. These violations are deemed "technical" when no new offenses are committed. The detainment of these youth accounted for 35% of the beds in the JDAI sites that were studied.⁵² JDAI points out some particular problems with respect to violations. First, no guidelines exist for detaining violators. Probation officers can have a youth detained for any minor violation. In some cases, the violation may be the best option for the youth. For example, if the youth's parents are abusive, he or she may flee. However, by leaving his or her house, the youth may be considered a violator. Second, violators returning to detention centers are not screened with a RAI. Lastly, the responses to violations are currently black and white; there is no middle ground. The youth is either detained or sent home. A graduated sanction or accountability-based alternative is needed.

Baltimore currently treats all warrants and violations in the same manner: automatic detention. There are no graduated sanctions or mitigating factors considered. If a youth fails to appear in court or does not adhere to the conditions of his or her supervised release program, then he or she is detained.

SUMMARY AND RECOMMENDATIONS

The reviewed literature speaks to the deleterious effects of unnecessarily detaining youth. The consequences are far-reaching as they may negatively impact the various systems in the youth's life, such as the family, peers, school, and community. The child's development may also be altered as a result of detention. In addition to these damaging effects, research has shown that detention is unsuccessful and cost-ineffective.

Steps are being made to reduce the problem of over-detainment. The driving force in finding solutions has been the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI). Since the commencement of this project in 1992, JDAI has succeeded in demonstrating the effectiveness of alternatives to detention. There are currently 75 JDAI sites in the United States that are committed to rehabilitating youth through alternative programs.

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) published a report that highlights the current examples of alternative programs.⁵³ These alternatives include outright release, graduated sanctions, and the various types of supervised released. The report cited that the most successful programs were intensive and had many contacts with their clients. They sustained continuous contact for an extended period of time. These programs were comprehensive and covered various aspects of the youth's life. Lastly, the programs linked youth to other rehabilitative services.

Baltimore City currently has many of these programs in place. Community detention and electronic monitoring often operate in conjunction with one another. Youth who are released home are frequently given an ankle monitor or required to participate in the voice monitoring service. Baltimore also offers two nationally recognized programs. The youth advocate program (YAP) and functional family therapy (FFT) are both used as alternatives to detention. Evening reporting centers and shelter care are also programs implemented in Baltimore. Lastly, Baltimore offers two programs which are unique to the city. Fresh Start is a skill building training that was designed to transition youth into the job market. Emergency hearings are also used to reduce populations in the BCJJC.

While the existence of these programs is a step in the right direction, evaluations of the effectiveness of each alternative in Baltimore should be completed. Many of these programs have been evaluated in different jurisdictions and have been shown to be effective alternatives. Yet their success with the population in Baltimore has not been examined. In line with the OJJDP report, studies should ensure that these alternatives include the characteristics of successful programs. Cost-benefit analyses of these programs in Baltimore have yet to be documented. Such information could be used to further support the use of alternatives.

Baltimore should also consider additional resources. The sheer size of Baltimore City speaks to the need for more reporting centers. If the evening reporting center is shown to be effective in the aforementioned evaluation, other reporting facilities will be needed to ensure that they are accessible to all youth. A reporting center should be available in all localities. The only center is currently in the Druid Hill neighborhood. If a youth from the Brooklyn neighborhood is assigned to the reporting center, he or she must travel through the city to get there. Without appropriate transportation, this could be a difficult task. Since participation in reporting centers,

like most alternatives, is mandatory, it is vital for the youth to attend. A missed session could result in a violation and a subsequent detainment.

Another potential resource to be implemented is the use of multisystemic therapy (MST). Similar to FFT, MST is also a Blueprint model program. MST functions as a holistic family therapy option. Deficits in the multiple systems in the youth's life are addressed by the therapist during home therapy sessions. This model attempts to accommodate the family by scheduling these sessions around the family's schedule. Evaluations of MST have shown its effectiveness in reducing future arrest rates, incarceration, and out-of-home placements.⁵⁴ These favorable results and the cost-effectiveness of this solution make it an attractive detention alternative to be considered by Baltimore City. Baltimore County has implemented MST and has had positive outcomes.⁵⁵

Community conferencing is another system-level process that should be considered as an alternative in Baltimore City. Community conferencing is a way in which youth can resolve conflict with their families, peers, and larger community. All of the people who were in some way negatively affected by the behavior of the youth convene and negotiate the ways in which the damage can be repaired. This process allows youth to understand how their actions have impacted others and also allows those who were affected to express the harm that was done. As simple as this may sound, it is usually the first time that the youth is confronted by those who were hurt by his or her actions. Youth are then able to take responsibility for their actions. The advantages to this method are numerous. It has been estimated to cost 1/10 of detention. Youth in conferencing have demonstrated a recidivism rate 60% less than those who were detained.⁵⁶ Many first-time non-violent offenders in Baltimore could easily be referred to community

conferencing. The conferencing center has been in downtown Baltimore since 1995 yet has no formal link as a detention alternative has been made with referring agencies.

The warrant caseload in Baltimore City should be analyzed to determine if there are any themes among the warrants. For example, an excess of FTAs may signify a problem with the scheduling of court dates. An extended period of time between the assignment of a court date and the actual date may be where the problem lies. Also, risk assessments should be completed for youth with warrants. If the youth's score on the RAI is low, alternatives to detention may be an option. Warrants should also be differentiated among seriousness to better determine risk. Due to the low level of risk in many of these cases, most youth can easily be referred to detention alternatives. Lastly, Baltimore should work to prevent FTAs. By reducing the amount of time between the youth's arrest and the court date and by reminding youth when and where to appear, the incidences of FTAs should drop. Providing transportation to court may be another useful option.

Similarly, the problem with violations in Baltimore should be examined. By analyzing the data on detained violators, the City can determine the extent of the problem. For example, the policy of detainment for these youth may differ between judges and probation officers. If this is the case, it speaks to the need for clear and objective guidelines for handling violators. As with warrant cases, youth with violations are not screened for risk. The use of the RAI would help to determine non-secure alternatives for these youth. In order to reduce the unnecessary detainment of technical violators, a supervisory review of all cases eligible for detainment is needed.

Lastly, and perhaps most importantly, Baltimore needs to create a system of graduated sanctions for youth with warrants and violations. The current policy is to automatically detain

these youth. In fact, juveniles with these two offenses are not screened in the RAI. Therefore, the first step that needs to be made is to assess the risk of these youth. Secondly, Baltimore should follow the strategies offered by JDAI to implement graduated sanctions. Multnomah County, Oregon, a JDAI model site, currently utilizes a sanction grid based on the seriousness of the violation and the severity of sanctions. For each level of risk (high, moderate, and low), possible consequences of differing severity are listed.⁵⁷ In a similar manner, another model site Cook County, Illinois implemented the Sheriff's Work Alternative Program (SWAP). This program is designed to have youth perform community service for the same number of days in which they would have been in secure detention. Both of these options would help divert non-violent youth from secure detention and serve to reduce the BCJJC population.

The criticisms of the BCJJC can be addressed by considering the proposals in this paper. The BCJJC was deemed "unconstitutional" due to its neglect of the rights of detained youth. The recommendations made by the Department of Justice include increased staffing, modified behavior management plans, and the removal of hazardous objects. The follow-up news reports have stated that the current plan is to construct a new juvenile facility which is estimated to cost between \$50 and \$55 million to address these issues.^{58,59} However, these solutions severely fail in recognizing the problem of the over-detainment of non-violent youth. By diverting non-violent and technical offenders from secure detention, the population would be drastically reduced. A smaller population would be more manageable and would serve to address many of the complaints. Baltimore already has many promising detention alternatives in place. Upon successful evaluations of these programs, the next steps should be to properly utilize them to their fullest potential. By doing so, many of the problems reported by DOJ would be resolved.

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