

Juvenile Reentry in Richmond: Barriers, Cost Savings, and Giving Youth a Second Chance



A Report by the
JUSTCHILDREN Program of the LEGAL AID JUSTICE CENTER

Marquis is 17-years-old. He had been out of confinement and in the community for more than four months, and still none of the professionals involved had attempted to enroll him in school. Marquis also suffered from schizophrenia and bipolar disorder but received no mental health services or medication for the first four months following his release. Sadly, his behavior became more erratic and troubling, and by March he had run away from home. He was on the run for a month-and-a-half before landing back into detention and finally receiving the mental health care he desperately needed.



Greg is an 18-year-old who was released from a Virginia Juvenile Correctional Center in January of 2007. Greg has a serious learning disability that required a private day school placement earlier in his education. Contrary to what Virginia law requires, Greg's transition from confinement to school had not been planned-for. Consequently, Greg spent the spring of 2007 aimlessly wandering the halls of the Adult Learning Center and routinely disrupting classes in which he had been placed, but which were fundamentally inappropriate for him.



Kyra is a 16-year-old with learning disabilities who was released from confinement in August of 2007. No IEP meeting for Kyra took place at Bon Air, and no advance planning for her school reenrollment was done before her release. Because of inadequate educational services received while Kyra was confined, she was told she'd have to repeat the same grade she'd just completed during confinement. Unfortunately, being forced to repeat a grade is a good predictor of a student's dropping out of school.

Introduction

Young offenders return to Richmond with new tools to combat old temptations. While in a locked facility, they may learn to analyze their negative actions and often receive therapies that help them change their misbehavior. With this second chance, these youngsters can turn their lives around. Their rehabilitation is often squandered, however, when they return without the necessary reentry programs and planning. While Virginia spends at least \$100,707 per year to incarcerate a child,¹ the lack of adequate planning and services for reintegrating youth is a growing concern for JustChildren² and many others in Richmond. Reentry initiatives and studies done throughout the nation reveal that an investment in reentry is a long-term cost-savings measure and an investment in public safety.

Adult reentry services have recently drawn increased support in Richmond and throughout Virginia. An adult Reentry Pilot Program in Richmond is making positive strides toward assuring successful adult reintegration and has experienced only 1 instance of recidivism since January of 2007. Further, the adult Reentry Pilots in King George and Culpepper have a 0% recidivism rate. Now is a crucial time for government officials, advocates, community and faith-based organizations, academicians and grantmakers to devote a comparable amount of attention and resources to juvenile reentry. Focused attention to juveniles' struggles is the key to preventing adult incarceration. Opportunities to improve juvenile reentry abound.

In October 2006, JustChildren began a new initiative focused on providing legal services, policy advocacy, capacity-building, and social support to Richmond's juvenile parolees. This initiative builds upon JustChildren's previously successful work helping to reform juvenile reentry planning in Virginia through the development of regulations requiring better educational and mental health services transition plans for juvenile parolees. JustChildren investigated the state of juvenile reentry in Richmond further, and this report reflects the fruits of that investigation.

This report will discuss the barriers facing Richmond's juvenile parolees; point out opportunities for improvement and success; and propose a set of next steps that stakeholders might pursue. With the collaboration of both governmental, private sector, and community participants, a solution is well within reach.

JUST THE FACTS:

Virginia spends over \$100,000 per year to incarcerate one youth in a Juvenile Correctional Center

JUST THE FACTS:

About 50 juveniles per year (3-4 per month) return to Richmond from a commitment to the Department of Juvenile Justice.

¹ "Appendix C, JCC Expenditures, FY 2006," *Data Resource Guide, FY 2006* at 194, (*Virginia Department of Juvenile Justice*). Available on the DJJ website at

http://www.djj.state.va.us/About_Us/Administrative_Units/Research_and_Evaluation_Unit/Appendices.pdf.

²JustChildren is a program of the Legal Aid Justice Center, which has offices in Richmond, Petersburg, Charlottesville and Falls Church, Virginia (www.justice4all.org). For more information on JustChildren and this report, contact Charisa Smith in the Richmond office, at (804) 643-1086 or at charisa@justice4all.org.

In preparation for this report, JustChildren has consulted with city and state officials and staff; convened a task force on school reenrollment for Richmond's court-involved youth; visited youth and adult service providers; spoken with community and faith based organizations; consulted with an apprenticeship program; attended trainings and conferences; conducted trainings of youth and adults; and surveyed the best practices literature. Perhaps most importantly, we have represented individual young people who have recently returned to Richmond from juvenile prisons and witnessed firsthand the hardships they experience.

A Snapshot: Juvenile Offenders Returning Home to Richmond¹

About 50 juveniles per year (3-4 per month) enter Richmond after a commitment to the Department of Juvenile Justice. In 2006, 39.1% of the Department of Juvenile Justice (DJJ) population was age 17 or older.³ According to Richmond juvenile parole officers, an overwhelming majority of their parolees are African-American.

JUST THE FACTS:

DJJ estimates that 36 months after their release, between 67.8% and 69.2% of former wards had been reconvicted of crimes between 2000 and 2002.

Most of Richmond's juvenile parolees come from families headed by single mothers. Most of those families have also experienced serious financial strain. A considerable number of juvenile parolees lived in RRHA housing. Only about two parolees were recently released to group homes. When a youngster is released to a halfway house outside of Richmond, the youngster is kept on Richmond Parole's caseload. Only a small percentage of Richmond's juvenile parolees are wards of The Department of Social Services (DSS).

DJJ estimates that 36 months after their release, between 67.8% and 69.2% of former wards had been reconvicted of crimes between 2000 and 2002.⁴ No matter how the Commonwealth's juvenile recidivism rate is counted, the number leaves considerable room for improvement. States such as Indiana have utilized comprehensive reentry programs to *reduce* the number of juveniles placed in state custody by 54.5%. Aftercare for Indiana through Mentoring (AIM) estimates that for every 100 youths participating in AIM, the amount of savings to the state, just in terms of reductions in reincarceration, would be \$1,003,454.⁵

³"Admissions by Race, Sex, Age, and Region, FY 2003-2006," *Data Resource Guide, FY 2006* at 156 (*Virginia DJJ*). Available on the DJJ website at

http://www.djj.state.va.us/About_Us/Administrative_Units/Research_and_Evaluation_Unit/JCC.pdf.

⁴"Reconviction Rates," *Virginia DJJ Data Resource Guide FY 2006* at 185. Available on the DJJ website at http://www.djj.virginia.gov/About_Us/Administrative_Units/Research_and_Evaluation_Unit/Reoffense.pdf.

⁵ *Aftercare for Indiana through Mentoring (AIM) Progress to Date*, January 2004. Available online at http://aim.spea.iupui.edu/reentry/progress_report.htm. Also see *Juvenile Offender Reentry Program Reduces Recidivism, Study Finds*, (Research Brief on the Allen County, IN Superior Court's Juvenile Re-Entry Program. Statewide cost savings estimates were done by the Indiana Youth Institute, July 22, 2005). Available at the Join Together website at <http://www.jointogether.org/news/research/summaries/2005/juvenile-offender-reentry.html>. (Join Together is a program of the Boston University School of Public Health).

Barriers to Successful Reentry

- **Lack of Timely and Effective Transition planning**

Currently, Richmond Parole must rely on DJJ staff for notice of a juvenile's length of stay (LOS) in a DJJ facility, and for potential release dates. Although DJJ policy requires 30 days advance notice of a ward's release, in practice Richmond parole officers report having far less time.

In addition to not being timely, the reports from the correctional centers are limited and not always adequate for appropriate planning. While Department of Correctional Education (DCE)⁶ "Transition Specialists" exist in each Juvenile Correctional Center, they frequently do not reach out to Richmond's parole officers, who are more frequently in touch with a client's Juvenile Correctional Center counselor. Although state-level procedures are already in place, or are being developed, to plan for school re-enrollment and career development, the conversations with providers make clear that these processes have not meshed nor come to fruition.

As a result of these failings, plans for mental and physical health care, housing, transportation, social support, and obtaining forms of identification are not being adequately addressed either on the state or city-wide level, according to the parole officers, officials, community members, and service providers consulted for this report. While Offender Aid and Restoration (O.A.R.) provides an invaluable service to adult ex-offenders, O.A.R. can only help individuals who have an adult criminal conviction.

JUST THE FACTS:

A recent survey of 94 Virginia parole officers revealed that only between 25-50% of clients required to attend school actually reenroll in public school post release.

- **Lack of Housing**

Young people returning home from a commitment to the Department of Juvenile Justice require a stable residence. Yet for too many juvenile offenders, housing is difficult to obtain and maintain upon release. A lack of parental and other social supports is a leading problem. Young offenders in DSS custody sometimes experience a termination of services once they turn 18, which leaves them without transitional living help and with few opportunities. The Richmond Redevelopment & Housing Authority (RRHA) pursues the eviction of families whose members are court-involved.⁷ Richmond Parole stated that RRHA has evicted youth for delinquent behavior without such youth even having been adjudicated. Service providers recognize that lines of communication between school staff, CSUs, and public housing officials are so fluid that news of a

⁶ The Department of Correctional Education (DCE) provides educational programs to incarcerated youth and adults in Virginia.

⁷In 2002, RRHA sought the *juvenile* records of all residents of public housing for the purpose of evicting their families.

youngster's school-related offense often leads to an eviction regardless of prosecution. In addition to these barriers, the lack of family stability also creates housing problems. As a result, young parolees are often transient and need a place to call home, either with supportive adults or living independently

- **Lack of Transportation**

Particularly as parolees get older, transportation is a requirement for both employment and service provision but is too often unavailable.⁸ Without public transportation or private rides to and from school, job interviews, jobs, therapies, community centers, service providers, and social events, young parolees may be unable to obtain the support they need to live a productive and healthy life in their community.

- **Continued Lack of Timely and Effective School Reenrollment and Educational Services**

Richmond's young offenders face serious obstacles returning to school despite the fact that reenrollment is a key ingredient to reduced recidivism.⁹ A 2006 survey of 94 Virginia parole officers revealed that only between 25-50% of clients required to attend school actually reenroll in public school post release.¹⁰ In discussions with Richmond Court Service Unit (CSU) staff (parole and probation) and school officials, it is also clear that despite new regulations,¹¹ DJJ personnel, Richmond Public Schools and Richmond CSU staff are not completely familiar with the new process or timelines. As a result, youth are still experiencing significant delays and other problems when they return to their communities.

JUST THE FACTS:

Best practices literature points out that sometimes the presence of a supportive, positive adult and/or peer group can make all the difference in the life of a juvenile offender.

Even upon school reenrollment, young offenders find themselves facing harsh challenges due to learning disabilities, inappropriate plans or placements, and also because they do not have a solid plan for the other aspects of their lives. Juvenile parolees do not attend school in a vacuum. They need comprehensive plans, services and support to reinforce positive behavior in and outside of school.

⁸ Interview with Barbara Slayden of OAR of Richmond, October 31, 2006.

⁹ *From Incarceration to Community: Overview of Parole Officer Survey Results regarding School Re-enrollment*, Jessie Kostelnick (University of VA, unpublished (2006)); Bullis, Yovanoff, Mueller & Havel, 2002; Keith & McCray, 2002; Barton & Coley, 1996.

¹⁰ *Ibid.* (Kostelnick).

¹¹ See [8 VAC 20-660](#) Et seq..

- **Lack of Connection to Vocational Training and Employment**

Because many of those youth who return from a DJJ commitment are in their late teens, having job skills and access to employment is critical to their success. The training they receive while in the custody of DJJ can sometimes yield certificates in a vocation such as janitorial services or barbering. However, not all DJJ wards can take advantage of such training programs. Additionally, while there appear to be a number of community based job and job training opportunities available to older offenders, they are often hard to locate, and juvenile parole officers are not generally aware of these resources. Parole officers emphasized that too few youth graduate with marketable skills. They add that youth graduating with such skills still face challenges because they do not have enough contacts and support to help them succeed at work.¹² Further, once a youngster has a juvenile or criminal record, s/he faces the difficult task of having to decide whether to report an offense to potential employers.

- **Unavailability of, or Delayed Access to, Mental and Physical Health Care**

At least 60% of boys and 90% of girls in Virginia's juvenile prisons have mental health needs.¹³ While they often (though not always) receive services to address these needs while confined, when they transition home they experience problems. Medicaid is a primary source of health care funding for many before incarceration, but Medicaid benefits are terminated upon incarceration. In addition, some youth are too old to receive Medicaid by the time they are paroled, and there is no regular process in place for them to apply for SSI prior to discharge. Parole also often uses §294 funding¹⁴ to access mental health care after a juvenile's release from a correctional center, but there is typically a lag in care despite the crucial need for seamless treatment. While some clinics provide interim medication when a juvenile is released, not many youth receive clinic services. Those youth who do receive clinic services still generally experience a lag in health care upon release. The Department of Criminal Justice Services works with some juvenile offenders to reconnect them to Medicaid before release.

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A gap also exists in the kinds of services available. Substance abuse, group therapy and other helpful interventions are not always available, even when funding is provided.

¹²Meeting with Richmond Parole Unit and JustChildren staff, December 13, 2006.

¹³ VA Board of Juvenile Justice, *Proposed Regulation Agency Background Document* accompanying draft Regulations Governing Mental Health Services Transition Plans for Incarcerated Juveniles (July 2006). *See also* [6 VAC 35-180](#) Et seq..

¹⁴§294 funding is provided by the Department of Juvenile Justice, to offer transitional services to juveniles leaving incarceration. *Va. Code* § 16.1-294 .

The Virginia Board of Juvenile Justice has now passed regulations which will require more advanced planning for the delivery of mental health services. While these will help more young people secure timely services, they will require extensive training and outreach before they become a regular part of the service delivery fabric in Richmond, not unlike the 2006 re-enrollment regulations.

- **Lack of Identification**

In order to secure employment or public benefits, paroled offenders require identification. Too often when they are released, however, they experience substantial delays in securing this. Parole officers, staff of Offender Aid and Restoration (O.A.R.), and other service providers all noted the difficulty that young parolees have in obtaining forms of identification. Many such youth do not have adults who keep their personal records and documents for them.

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Upon release, these youngsters are unable to go to the Department of Motor Vehicles (DMV) without an adult accompanying them. The DMV also requires that they present a valid form of identification to receive assistance. Similarly, the Bureau of Vital Statistics requires the presence of a family member if the youngster is under age 18. While at least one Juvenile Correctional Center has begun to assist its wards in obtaining identification, the program only covers youth who are not returning to their families' home but are instead returning to situations such as group homes.

- **Lack of Social Support**

Many of Richmond's juvenile offenders do not have the comprehensive support they need to combat learning disabilities, poverty, mental health issues, and other difficulties. They often struggle with multiple problems prior to their first contact with the court, and often lack the individual, family, or neighborhood resources to improve their situations. Even when the families of Richmond's juvenile parolees are extremely supportive, they often wish more external services and advice were available. In some cases, however, families give up hope that their young offender can seize upon a second chance. Some youth receive few visitors while incarcerated and are left to their own devices after release. As a group, delinquent youth show poor adjustment as adults and have trouble achieving traditional markers of adult success—relationships, employment, and education.

Best practices literature points out that the presence of a supportive, positive adult and/or peer group can make all the difference in the life of a juvenile offender. The skills that adolescents develop and the social capital that they accrue through relationships with pro-social peers and adults can create healthy outcomes.¹⁵ It is not the achievement of any particular age or event but rather the achievement of

¹⁵ McLaughlin, 2000.

“adequate maturation” that helps individuals change their deviant ways and adopt adult-like responsibilities.¹⁶ Additionally, when youth development is used as a strategy, progress is more readily attained.¹⁷

In JustChildren’s individual representation of re-integrating youth, the findings of this brief have been confirmed. School reenrollment plans are not typically

JUST THE FACTS:

There is a sense among some Richmond juvenile parolees that not enough consideration was given to their future plans. One youth confided, “They [DJJ personnel] just wanted me to get out [of the facility]. Now I just want a job. My mom says I got to get out [of the house] when I turn 18.”

completed by Juvenile Correctional Centers and given to Richmond Public Schools. There is a sense among some Richmond juvenile parolees that not enough consideration was given to their future plans. One client confided, “They [DJJ personnel] just wanted me to get out [of the facility]. Now I just want a job. My mom says I got to get out [of the house] when I turn 18.” One week before his scheduled release from confinement, another JustChildren client had received very little reentry planning and did not have solid work or educational programs to which he could return. Although this youngster was a father, like many other youth in DJJ custody, his parenting preparation during incarceration

consisted of a counselor providing him with a copy of Parenting for Dummies shortly before his release.

The frequency, and ineffectiveness, of last minute transition planning was a common theme among the many stakeholders with whom we spoke.

Opportunities and Next Steps

Despite the barriers, Richmond has many resources in place – both workforce opportunities and models developed to work with adult offenders -- to tackle the problem of juvenile reentry in a comprehensive and effective fashion. In addition, more resources and attention are on the way. Specifically, DJJ recently unveiled a new effort to reduce recidivism and report corresponding data.¹⁸ In the winter of 2008, it will open two cottages at Beaumont, as a step-down stage before reentry. Twenty-four youth from across the state will be housed in the renovated cottages for two to four months. Additionally, there are several step-down pilot programs in detention homes across the state and DJJ is encouraging more jurisdictions to join the effort. These houses can help the wards get prepared for their transition home. However, state budget cuts are either delaying or diminishing some of this important programming.

Richmond Parole has hired a new staff person, funded by DJJ, to specialize in transition planning services. This individual focuses on about 15 youth from the

¹⁶Gleuck and Gleuck, 1974.

¹⁷ Bazemore and Terry, 2001.

¹⁸Board of Juvenile Justice meeting, January 10, 2007.

Beaumont and Bon Air JCCs, 60 to 90 days before their release. The new hire attends treatment meetings, takes vendors to facilities, and has offices at the Hull Street Parole location. After 60 to 90 days of supervision by the new transitional specialist, the specialist's clients become part of Richmond Parole's regular caseload. This transitional parole officer has had a collaborative relationship with JustChildren's reentry attorney, and they may jointly take on clients and explore options for an intensive reentry pilot program.

Moreover, as mentioned above, the Department has passed mental health transition regulations and work release regulations which should aid in the planning and training of wards receive before they return home. The work release regulations are final, and the mental health transition regulations are in the process of being approved by other branches of government under the Administrative Process Act.¹⁹

Finally, a collaborative group of CSU staff, Richmond Public School staff and attorneys, DCE personnel, DJJ staff, Department of Education (DOE) staff, and JustChildren attorneys met twice during the summer and once during the fall of 2007 to strategize and troubleshoot about school reenrollment of Richmond's court-involved youth. The group has identified solid action items, made progress, and found specific ways to improve educational transition planning. However, the members have also identified persistent barriers, most notably the apparent failure of the staff at the Juvenile Correctional Centers to notify the necessary parties of a youth's upcoming release.

In addition to these developments that are specific to juveniles, the Richmond adult Reentry Pilot Program is still in its infancy and involves numerous agencies, organizations, and individuals throughout the region. This adult Pilot Program is developing through the establishment of subcommittees which focus on distinct aspects of the adult reentry issue. It represents a possible model to emulate in a juvenile reentry pilot.

¹⁹ The mental health regulations will be final on December 12, 2007.

Suggested Next Steps:

With all of this information in mind, then, the proposed steps and roles below are meant to be suggestions, intended to generate discussion. They are based on our work in this area, and multiple conversations with numerous stakeholders. They are not intended to be definitive or absolute, but rather to provide a focus and direction to future planning.

- (1) Develop an organized approach between stakeholders to raise awareness, cultivate expertise, and plan. The adult Reentry Policy Academy Pilot programs could serve as a model. Potential partners in the process include: DJJ, Richmond Public Schools (RPS), Richmond Parole and other CSU staff, Youth and Workforce Development, VA Employment Commission (VA Workforce Network) & Workforce Investment Act Youth Program Personnel (Richmond Career Advancement Center), Department of Correctional Education (DCE), Department of Education (DOE), DSS, JustChildren, CPMT, Juveniles' guardians or representatives, Community & Faith-Based Organizations (CBOs and FBOs), Local Employers & Area Colleges, §294 Vendors & Service Workers, other service providers, Richmond Behavioral Health Authority (RBHA), Richmond Redevelopment and Housing Authority (RRHA), Bureau of Vital Statistics and DMV, Providers of Services to the Homeless, Law Enforcement;
- (2) Promote better communication between Richmond Juvenile Parole and DCE Transition Specialists;
- (3) Conduct trainings on, and encourage better implementation of, current Regulations - DJJ, Parole and other CSU staff, RPS, DCE, DOE, JustChildren;
- (4) Advocate for earlier and more comprehensive planning and advocacy for individual wards - DJJ, Parole and other CSU staff, RPS, RBHA, DCE, JustChildren, DSS, §294 Vendors & Service Workers, other service providers;
- (5) Develop a comprehensive resource list - DJJ, Parole and other CSU staff, JustChildren, DSS, §294 Vendors & Service Workers, other service providers, RHBA;
- (6) Enhance knowledge of all resources and how to access them. Locate resource guides in parole offices with staff designated to work on and coordinate these services;
- (7) Enhance employment training and workforce development for juvenile offenders;
- (8) Identify and pursue unmet service needs (eg. -- a juvenile reentry one stop, a workforce/juvenile justice partnership, a mentoring model, different treatment & skill-building, access to forms of identification, etc.);
- (9) Identify, and apply for, potential federal, state, and private funding.

Conclusion

Richmond is poised to enhance its juvenile reentry continuum and service delivery. The initial task before us is to more effectively maximize current opportunities and resources for transitioning young people, and to enhance communication among stakeholders, while continuing to identify areas where the community and its young people would benefit from additional funding and support.

Richmond boasts an impressive array of professionals and service providers who are dedicated to improving the reentry process, and it is clear that Richmond has the potential to be a model for other programs and other jurisdictions. Taking the previously mentioned steps, or others like them, and relying on lessons learned from other sites across the country, may be the keys to establishing a more comprehensive approach to, and reducing recidivism among, Richmond's juvenile parolees.²⁰ With careful planning and collaboration, stakeholders can give Richmond youth a second chance and save the countless dollars the city might otherwise spend on adult incarceration, social services, and public benefits.

²⁰ At its best, transition planning is a comprehensive process that begins at intake. (U.S. Office of Juvenile Justice and Delinquency Prevention (OJJDP), *Technical Assistance to the Juvenile Court, Special Project Bulletin: Juvenile Court-Controlled Reentry: Three Practice Models* at 1 and 7 (Feb. 2005); and Telephonic Interview between Charisa Smith (JustChildren) and Barbara Kaban, Deputy Director of the Children's Law Center in Massachusetts (October 17, 2006)). Best practices literature recommends that select elements of the reentry process should not be compartmentalized, although roles and responsibilities among agencies should be clearly defined. (JustChildren, OJJDP). Ideally, services available to youth in the community will be available to youth inside incarceration facilities. (David Altschuler, Ph.D.; OJJDP; Children's Law Center of MA). These measures tend to assure a smooth transition for court-involved youth.