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Youth Justice in Maine: Imagine a New Future Summit

Summary & Recommendations

Mara Sanchez, Erica King, and Jill Ward

Acknowledgments

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Additional information regarding community-based alternatives to confinement and building a continuum of care can be found in the resource list at the end of the report (Appendix A). One resource to start with is *Beyond Bars: Keeping Young People Safe at Home and Out of Youth Prisons* (2016).

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About the Authors

Mara Sanchez and Erica King are a part of the Justice Policy Program at the Muskie School of Public Service at the University of Southern Maine. Jill Ward is Project Manager at the Maine Center for Juvenile Policy and Law at the University of Maine School of Law.

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SOUTHERN MAINE**

**MAINE
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Maine Center for
Juvenile Policy and Law

“Given the size, the demographics and the economy of our State, we can ill afford to have any young person not reach their full potential. We need them all.”

*Tony Cipollone,
The John T. Gorman Foundation*

Introduction

On November 17, 2017, the Justice Policy Program at the University of Southern Maine and the Maine Center for Juvenile Policy and Law hosted *Youth Justice in Maine: Imagine a New Future* at the Westin Portland Harborview Hotel in Portland, Maine.

The summit was planned and hosted as a collaborative effort by members of the

Justice Policy Program at the Muskie School of Public Service and the Maine Center for Juvenile Policy and Law at the University of Maine School of Law. The Annie E. Casey Foundation sponsored the summit as a part of the Juvenile Detention Alternatives Initiative (JDAI). Additional support was provided by The John T. Gorman Foundation and the Maine Juvenile Justice Advisory Group.

The purpose of the summit was to share information on best practices from national experts, to connect that information with local data and the experiences of Maine youth, and to provide space for participants to connect and commit to more robust and aligned strategies to move forward towards better results for young people in Maine.

More than one hundred local youth justice practitioners and stakeholders attended the summit, which included presentations by national and local experts, a performance of original theater that culminated with youth-led dialogue, and an art installation by members of Maine Inside Out and Portland Outright. Both the performance and art installation centered the voices and perspectives of youth who have been impacted by the youth justice system. Throughout the day participants were able to engage with the installation and a “data walk,” consisting of key youth justice related state data (see Appendix B). The aim of the data walk was to inform attendees with a series of accessible data visualization tools to frame common understanding, deepen our knowledge base, and promote collective action regarding Maine’s justice-involved youth. The afternoon session was spent in locally-focused, interdisciplinary ‘table talks’ in which attendees identified legislative, policy, and programmatic strategies to build and bridge to a stronger community-based continuum of care for youth in Maine.

The purpose of this report is to summarize and share the information disseminated and generated at the summit. Additionally, this report seeks to summarize the issues raised and capture some of the recommendations made by attendees about how to re-envision youth justice in Maine and improve outcomes for justice-involved youth and our communities.

Looking Back: A Timeline of Youth Justice Reform in Maine

Maine has a long history of youth justice reform efforts. A partial review of prior initiatives includes:

- 1996: The Children's Cabinet is created by the Governor to coordinate policy and programs across the various systems that serve children and youth in Maine.
- 2000: The Communities for Children initiative institutes Integrated Case Management across Maine.
- 2004: The Department of Corrections (DOC) launches the Jurisdictional Team Planning initiative to reduce reliance on confinement.
- 2005: The Maine Department of Health and Human Services Office of Children and Family Services (OCFS) begins the THRIVE initiative, an effort to provide youth and families in Maine with trauma-informed service delivery.
- 2007: The OCFS funds "Wraparound Maine," a multi-site project targeting high-need youth with high-fidelity, comprehensive wraparound services.
- 2009: The Maine Juvenile Justice Task Force is convened as a collaboration of Maine's Supreme Judicial Court, The Maine's Children's Cabinet, and the University of Maine School of Law and consists of members representing multiple government agencies, nonprofit organizations and community groups. This task force organizes *Maine Rising*, a juvenile justice summit in December of 2009 with 300 attendees.
- 2010: The Task Force publishes a set of recommendations encompassing goals for education, corrections, and service delivery.¹
- 2012: Juvenile Detention Alternatives Initiative (JDAI) Fundamentals training is held to launch JDAI Maine, supported by the Annie E. Casey Foundation.

Nationally, JDAI was started in the early 1990s with the aim of reducing reliance on confinement for justice-involved youth. Maine joined the JDAI network in 2012. Objectives set forth for the sixth year of this grant (2016-2017) include organizing a Juvenile Justice summit focusing on the strategies and accomplishments of JDAI, positive youth development, racial equity, trauma-informed systems of care and family and youth partnerships. An additional component to the JDAI scope of work is quarterly analysis of statewide data on youth justice metrics, including assessment, admissions, average daily population, and average length of stay for youth in confinement.

"Let's go beyond imagining a new future for Maine youth and make sure we give children the future they deserve."

*Gail D. Mumford,
The Annie E. Casey Foundation*

JDAI is currently active in 39 states as well as the District of Columbia and 5 tribal jurisdictions. JDAI has several grounding principles regarding the type of system that youth need:

- Youth need to feel safe in their environment, and they need a sense of physical and emotional well-being
- Youth need to feel connected to positive adults and positive peers
- Youth need to have goals to strive toward, skills to hone, and a sense that they have a valuable role to play in the lives of the people and the community around them
- Youth need to perceive delinquency proceedings to be fair and transparent and sanctions imposed to themselves and their peers to be proportionate to the offense.²

According to the JDAI grounding principles, these needs are integral to building a youth justice system that promotes positive youth outcomes and reduces youth return to youth or adult systems. All of this aligns with the results based leadership approach promoted by the Annie E. Casey Foundation. JDAI Maine, in partnership with the Maine Department of Corrections, has oriented its strategies

All Maine justice involved youth experience a fair, equitable, responsive system that contributes to positive youth outcomes.



toward the following result: "*All Maine juvenile justice involved youth experience a fair, equitable, responsive system that contributes to positive youth outcomes.*" This result statement is what greeted summit participants as they entered the conference ballroom. This was done intentionally, to ground participants in shared results for Maine youth.

Looking Around: The Current State of Youth Justice in Maine

Maine has a history of coming together to assess what young people need and setting goals for reform that benefit kids and families, improve supports and services, and reduce the negative impact of system involvement for Maine youth. In addition to the items listed in the partial timeline of initiatives, there have been several forums aimed at reducing overrepresentation of youth of color in the Maine justice system and many efforts to infuse the juvenile justice system with more restorative practices. The recommendations that arose from the 2009 Task force and 2010 *Maine Rising* summit are particularly salient in that they led to the establishment of concrete goals to improve the well-being of Maine youth and the creation of a road map to get there.

Since 2010, Maine has made some notable progress toward these goals. For example, one goal was to increase the high school graduation rate for all Maine youth from 80% in 2009 to 90% by 2016. The most recent data from the 2014-2015 school year has the state graduation rate at 87.7%.³ Another goal was to reduce the use of confinement by 50% by 2015. In 2010, the average daily population of confined youth was 161.⁴ By 2017, that number had dropped to 79 youth.⁵ However, several goals have not been met, including developing a plan to build and sustain a continuum of care by 2010 that includes the availability of diversion programs, placement alternatives, afterschool programs, drop-in centers, weekend recreation, transition services, and family supports for youth statewide. ***This vision for a coordinated system of community-based, integrated services for youth across Maine has yet to be realized.***

Nationally, more states are working to implement a community-based, "closer to home" system. These states are rejecting investment in large prison-like facilities that reflect widening margins of racial disparity⁶ and increased recidivism⁷. Large facilities also embody some of the most harmful elements of adult incarceration such as solitary

"The best solutions have been integrated, cross disciplinary, and the result of putting young people at the center."

**Erica King,
Muskie School of Public Service**

confinement, physical and sexual abuse, and physical restraints.⁸ States like Ohio, New York, California, Texas, Illinois, Kansas, Virginia and Connecticut have closed or are closing large facilities and are investing resources in effective approaches that hold young people accountable in their communities. Although Maine has been nationally recognized for its performance among juvenile correctional facilities, the entire model of youth incarceration and how it has been administered is being called into question, nationally and locally.

The year leading up to the summit was a challenging time for juvenile justice work in Maine. By most accounts, it has been and continues to be a difficult political climate in which to address the needs of system-involved youth. Serious questions are being raised about the utility, safety, and efficacy of Long Creek Youth Development Center, Maine's remaining large facility for system-involved youth.⁹ The summit provided an opportunity for stakeholders from multiple sectors including corrections, mental health, philanthropy, education, law, advocacy, community groups, and others, to come together, reflect on progress that has been made, and consider ways to better align contributions toward shared results in light of local data and best practices from national experts.

Every aspect of the summit was designed with a results-focused purpose, including the agenda, invite list, featured speakers, and exhibits. The national speakers involved in the morning portion of the summit were:

- Opening Keynote from Vincent Schiraldi, a Senior Research Scientist and Adjunct Professor at the Columbia University Justice Lab
- Panel Discussion featuring Deborah Hodges, a retired Court Administrator for the Lucas County Juvenile Court in Ohio; Shaena Fazal, the National Director for Public Policy and Communications for Youth Advocate Programs (YAP); and Jason Wilson, YAP's Director of Employee and Program Development

Looking Ahead: Replacing the Failed Youth Prison Model with a Continuum of Community-Based Alternatives

America's longstanding use of the youth prison model, which emphasizes confinement and control as a tool of rehabilitation, exacerbates trauma and inhibits positive youth development while failing to address public safety. A review of the research on developmental psychology and criminology completed by the Annie E. Casey Foundation in partnership with Harvard's Kennedy School and published by the National Institute of Justice concluded that models of youth justice that rely heavily on confinement are not effective at rehabilitation or the promotion of public safety. Additionally, given the extensive allegations and documentation of abuse in such facilities, the report called for all youth prisons to be closed and replaced with a continuum of community-based programs that includes some limited secure confinement for the very few young people who require such intervention.¹⁰



The history of youth confinement in the United States can be traced back nearly two centuries ago to the "reformatories" established for poor youth, mainly immigrants. These institutions were renamed "reform schools," but continued to be modeled after adult penitentiaries, and abuse was rampant and common from the beginning of their history.¹¹ In the 1990s, a reactionary fervor to a spike in juvenile crime and inaccurate predictions about demographics, epitomized by the labeling of urban youth as "super-predators", drove states to enact laws increasing the number of youth in both the adult criminal justice and juvenile justice systems. But juvenile crime didn't continue to get worse, it got better. In fact, youth incarceration is currently at its lowest point since the 1960s.^{12,13}

Despite this consistent decline in youth crime, the youth prison, modeled after the adult system, is where states continue to spend the most resources. States spend an estimated average of \$88,000 to place an adjudicated delinquent youth in the juvenile justice system into a youth prison or out-of-home placement. Overall investment in this approach costs states more than \$5 billion annually.¹⁴ In Maine,

locking up a young person at Long Creek Youth Development Center costs an estimated \$250,000 per youth, at an annual expense of \$15 million each year.¹⁵

This need not be the case. We know from the research that youth are developmentally different from adults, and as such require a different approach.¹⁶ Confinement and punitive strategies of control are not only inconsistent with the purpose of the juvenile system, but also have been shown to be both ineffective and inadequate in addressing youth needs, especially youth who have experienced trauma or who have developmental challenges. According to the Pew Center on the States recent report on youth incarceration, "research has demonstrated that residential placements generally fail to produce better outcomes than alternative sanctions, cost much more, and can actually increase reoffending for certain youth."¹⁷ While comparisons are difficult to assess because states calculate reoffending rates differently, data from the Annie E. Casey Foundation's *No Place for Kids* report shows that youth incarceration produces high rates of reoffending. There is also compelling national evidence that youth prisons can produce adverse effects, particularly for youth who have been assessed to be a low risk to public safety.¹⁸ Here in Maine, low-risk youth committed between 2010 and 2014 who were reassessed prior to community reintegration *increased* in risk score, placing them at greater risk of recidivating upon release than they were prior to commitment.¹⁹

We also know that incarcerating youth isn't safe and can cause harm. Reports by the Annie E. Casey Foundation found evidence of systemic or recurring youth maltreatment in 45 different states between 1970 and 2015.^{20,21} Sixteen of these states have clear documentation of violent or abusive conditions since 2011. While Maine is not among that number, recent reports indicate that Maine is not immune. The suicide of an incarcerated LGBTQ youth in November 2016 is one of several incidents that have occurred at Long Creek Youth Development Center. Additionally, several reports^{22,23} released in 2017 brought to light troubling deficiencies in the delivery of mental health and educational services that are contributing to youth with acute needs but low criminogenic risk being driven deeper into the justice system.

"Maine is not uniquely implicated, but it's not uniquely absolved, either... it is the nature of institutionalization that is the problem."

**Vincent Schiraldi,
Columbia Justice Lab**

In recent history, Long Creek Youth Development Center has received attention as a model youth correctional facility. However, more recent data suggests a more mixed picture as to whether Maine youth who spend time there are being adequately served.²⁴ The decreasing number of youth in confinement in Maine also

“Because we’re well-meaning people, we want to assume that we are helping the young people we serve. But our touches are never benign, they can come with unintended negative consequences.”

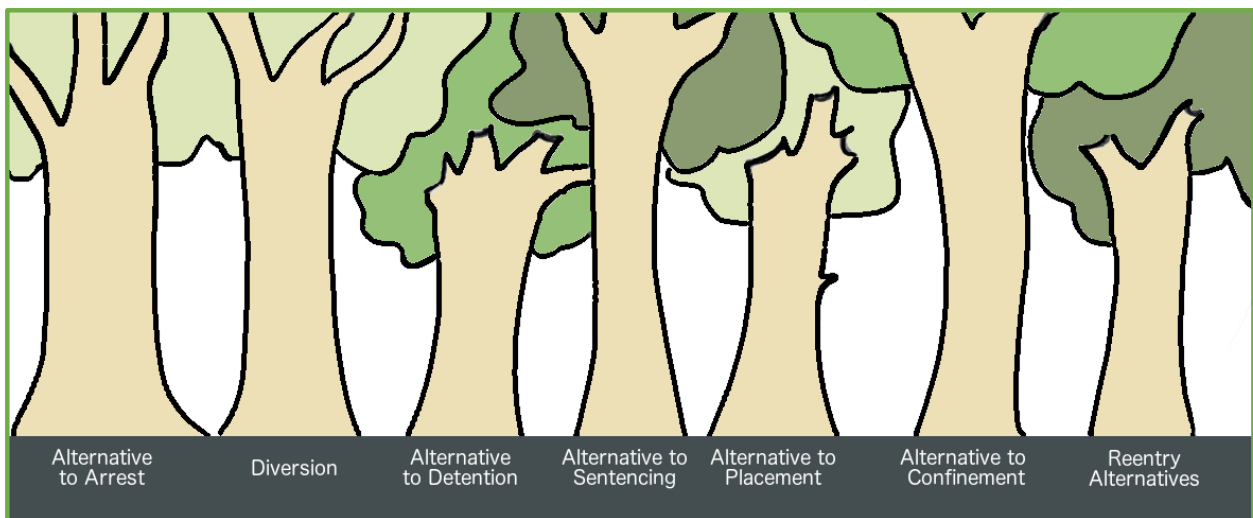
*Vincent Schiraldi,
Columbia Justice Lab*

provides an opportunity for policy makers to consider whether the current system in Maine is the most effective, cost-efficient one to administer youth justice. This is especially relevant in light of the huge amount of resources being spent to confine a small, predominantly low-risk population in a facility designed to hold a much larger number of youth who pose a

higher risk to public safety.

Building the Continuum: Keeping Young People Safe at Home

There is a model for serving youth with complex needs that reflects the goals set forth in the 2010 Juvenile Justice Task Force Report, aligns with Maine’s intended result, and holds youth accountable, while improving outcomes and ensuring public safety. A continuum of care, or a range of non-residential community-based programs, supports, and services specifically aimed at meeting the individual needs of youth as well as their families has worked in other jurisdictions and at less cost to the taxpayer. A continuum of care draws upon the strengths of young people, their families and communities, approaching youth from a strength-based rather than deficit-based lens and fosters autonomy, competence, and a sense of belonging within families and communities. When resourced, accessible, and evaluated for efficacy, a continuum of care can deliver the right amount of services at the right time to keep young people out of the justice system and away



Continuum of Care Forest

from the punitive, often traumatic cycle of incarceration. It keeps youth close to home where they can fulfill their promise as resources critical to the growth and wellbeing of a community.

Building a continuum of care is a process, and one that is not finite, but ongoing. The task is to institute a range of programs and services to replace the steps and interventions in the current justice system with a goal of either reducing youth involvement in the justice system or making involvement more gradual. A gradual approach would offer many upstream alternatives and options to meet youth before they wind up downstream in a system that is not equipped to meet their needs. The core components of a continuum of care generally include:

- Respite and support for families with complex needs
- Behavioral health and holistic victim services
- Substance use treatment
- Pathways for future economic opportunity
- Access to education
- Safe places and opportunities to recreate
- Gang intervention
- Restorative justice
- Mobile crisis intervention outreach
- Volunteer and paid mentoring programs
- Intensive non-residential programs for youth who fail out of traditional programs²⁵

The process of strengthening the continuum of care for Maine youth will be unique to Maine; it will be shaped by the youth, families, and communities of Maine. An important early step is to identify organizations with the capability or

“Building a continuum of care is not a finite process. It is a work in progress.”

*Deborah Hodges,
Lucas County, Ohio*

potential capability to assess youth and develop an individualized approach for each youth and/or family who require services.

Instead of fitting youth to available programming or service openings, this process should focus on the unique assets and strengths of each youth and match them to

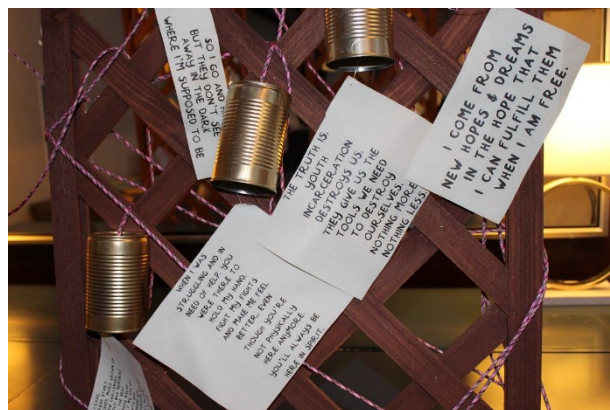
the right services, resource, program, or individual. Some strategies that assist in this process are:

- Wraparound planning – create a safe space for youth and families to identify needs, especially basic needs like food, shelter, education and heating, and to receive services to meet those basic needs
- Credible messengers – individuals from local communities integrated into the various services in the continuum who are compatible with youth and have shared cultural, regional, or personal experiences that can allow them to act as a bridge between youth and families and other service providers

- Family advocacy
- Flexible funding – establishing a funding source that can be accessed to provide services not covered within the continuum is critical to shaping a continuum that can serve each unique individual
- Crisis and safety planning²⁶

A common question that comes up in conversations about implementing a continuum of care is: does the continuum of care work for high-risk youth? The answer is yes. Results from a study of 3,523 youth – 30% of whom had prior felonies – being served in a community-based program administered by Youth Advocate Programs, Inc. (YAP) found that 86% were arrest free while in the program and 93% were living in the community at the time of discharge (so those who may have been arrested while in the program were not committed or recommitted). Additionally, between six months and a year post-discharge, more than 87% of YAP youth are still living in the community and less than 5% are in secure placement.²⁷ It is worth noting that these results were achieved in jurisdictions with far more prevalent and pervasive violence and risk than what is typically found in Maine communities.

When high-risk youth are served in the community, the monies previously used to house youths and to sustain large facilities are reinvested successfully in several places. One such example provided at the summit by speaker Deborah Hodges is Lucas County, Ohio, which built a continuum of care with gradually increasing levels of restriction on youth. The movement to community-based alternatives, such as specialized probation, was done by reallocating existing funding. The development of new strategies through this continuum approach resulted in a 98% reduction in commitments from 1989 to 2014 and saved millions of dollars in placement costs, allowing for reinvestment and further continuum development and evaluation. One key component of the Lucas County continuum was the creation of a non-secure assessment center. The Lucas County Assessment Center opened in October of 2014, serving youth arrested on nonviolent misdemeanor offenses and connecting them with individualized community-based services.



The establishment of the assessment center is an excellent example of how implementation of evidence-based practices can occur within current budget restraints; it requires the cooperation of one or more leaders willing to make the effort. A few individuals in the Lucas County courts took a look at the juvenile justice data coming out of their county as well as the national research that indicates the negative impact of confinement, and were inspired to act to improve outcomes for youth. Since the assessment center has been in operation, more than

3,000 juveniles have been diverted from state corrections and county detention.²⁸ Other payoffs of Lucas County's reform efforts were decreases in disproportionate minority contact²⁹ and school arrests, and improvements in law enforcement officer training.

The assessment step is an important component of the wraparound approach and a core component of a robust continuum of care. Building an individualized service plan around the assets and individualized needs of each youth should integrate community supports (either formal or informal) and ensure family input to facilitate success. Another fundamental element for successful service delivery are 'no reject' and 'no eject' policies in which all youth are accepted and feel that acceptance is unconditional. It is worth noting that few, if any, of Maine's providers currently have this policy, thus youth can be discharged for the very criteria that precipitated their referral.

Youth Voices: Love Is Alternatives to Incarceration

"Incarceration is state sponsored trauma."

*Joseph Jackson,
Maine Prisoners Advocacy Coalition*

Mid-day of the summit featured a performance by [Maine Inside Out](#) (MIO) and [Portland Outright](#), nonprofit organizations that provide programming for youth both inside and outside of facilities. The Maine Inside Out "outside" group, made up of formerly incarcerated

youth, performed a piece of original theater that is part of a larger collaboration with Portland Outright entitled "Love is Alternatives to Incarceration." The full show debuted the week before and included the multiple art pieces contributed by Portland Outright, a queer and trans youth movement based out of Portland that also provides support, organizing and programming to youth inside Long Creek Youth Development Center. Some of these art pieces were also featured at the summit. Both organizations engage young people in creative expression within supportive communities that prioritize building social and emotional connections. The performance and art featured at the summit were moving and personal first-person perspectives of how the youth justice system in Maine is affecting young people, providing all those who attended the summit with a reminder of the real impact of incarceration.

Maine Stakeholder Voices: Themes from Table Talk Discussions

During the afternoon portion of the summit, participants were assigned to tables for a Table Talk Discussion. Groups were picked to ensure cross systems and community representation with the hopes of promoting deeper discussion informed by multiple perspectives from across the Maine youth justice landscape. Each table was assigned a facilitator with an annotated agenda, a note-taker and a

time-keeper. All summit attendees were provided with a table talk agenda that included a discussion guide (See Appendix C). For the main part of the table talk, participants were tasked with discussing the following questions:

- What barriers do we face to strengthening our community based continuum of care?
- What should be done at the policy and legislative level to build and bridge to stronger communities?
- What do we need to do at the program and practice level to strengthen our continuum of care?

Barriers

Several themes emerged out of these discussions. In response to the question regarding barriers, participants came up with several common barriers: funding, lack of cooperation, lack of leadership, limited availability of services. Additionally, there was some overlap in discussion of how families create barriers, policy as a barrier, and a lack of accountability.

Funding

Every table identified funding, or lack of funding, as a barrier. "Identifying and funding the right programs is a challenge," was one table's observation. Another table discussed that due to limited resources, organizations "cherry pick easier cases." Members of one table observed that funding is in different "pots," and that without Medicaid there are no services. Lack of staff funding was specifically pointed to by several tables. "Pay for people working with the neediest youth is abysmal," reported one. According to another table, the lack of funding leads to a lack of qualified staff, with the result that "programs get started but don't keep going/aren't effective." Another expanded on that, explaining that diminishing resources and increasing demands on staff leads to "less time to collaborate and more turnover."

Lack of cooperation across system

Most participants discussed a lack of cooperation, communication, leadership or "shared vision" across agencies and/or organizations that serve justice-involved youth. One table noted that there are "powerful groups who overpower," and "silos within each system." The concept of silos was repeated at several different tables. "Nonprofits holding money, turf, resources instead of collaboration," noted one table. Another table called out both the existence of cross agency barriers and specifically, a "disconnect between direct care and leadership doing community mental health services." Yet another table agreed, asking: "is there sufficient communication?"

Limited Availability of Services

Many tables lamented the lack of services available in the state. As one table summarized it: "The shift from residential programming relies on services in the

community," adding that there exists a "severe lack of services." Another table was more specific, stating that there is a "lack of supports for teens appropriate to their development."

Families

Several tables brought up issues with families as a barrier, including the "socioeconomic pressure on families," and reporting that "families are often in crisis or service fatigued." There was awareness that families need to be supported which aligns with evidence that family involvement increases the likelihood that youth stay out of trouble.³⁰



Accountability

Some tables wrestled with where accountability lies when considering barriers in the system. One table explained: "systems don't want to take accountability," and another stated that it "will take 5-7 years to build a continuum of care" but that the "attention span of our system does not exist" for that to occur.

Recommendations

The groups prioritized several recommendations in a large group report out of table talk discussions. The following are responses to both main questions:

What should be done at the policy and legislative level to build and bridge to stronger communities in Maine?

- Build public and political will to reallocate resources
- Deeper understanding of issues before crisis happens
- More funding for prevention
- Policy emphasis on community responsibility
- Give power back to individual communities
- Improved transparency at the school level to have better data
- Standards and accountability for programs to have successful outcomes
- Reform juvenile code
- Uniform juvenile representation
- Education and engage youth and policy makers at the same table
- Develop an integrated oversight process for all services in the state
- Educate legislature about continuum of care
- Financially incentivize local care and treatment
- Educate and collaborate to create clear goals at ending youth incarceration
- Create an assessment tool with a hard cut off for detention
- Create better ways for families to understand systems and access resources

What do we need to do at the program and practice level to strengthen our continuum of care?

- Increase responsiveness to youth and family voice
- The right kid at the right program
- Build up programs in both ends of the continuum
- Link reform to multi systemic efforts – don't forget education!
- More diversion efforts and commitment to diversion
- Realistic about what is being paid and what is being expected
- Stronger partnerships between agencies and community members
- Find better ways to spend \$15 million per year
- A strength based, trauma informed, flexible, fully funded continuum of care
- Collaboration with youth and families to meet identified needs
- Nothing about us, without us

Conclusion

Several key themes emerged out of these recommendations. There was a call for more outreach and education on the subject of youth justice to multiple audiences, including the legislature, parents and families, and the larger public. The need for greater collaboration among stakeholders was stressed multiple times. Other recommendations focused on where to increase accountability and responsibility, as well as how to increase capacity or resources.

Ensuring that all justice-involved youth in Maine experience a fair, equitable, and responsive system will only be possible if there is a demand for it and if we align our strategies in working toward it: from advocates, from practitioners, from policy makers, and from every community in Maine. Helping to create such a demand was a central purpose of this summit. Continuing to fan the flames of urgency is the task of every participant and every reader of this report. The possibility that Maine can improve the outcomes for any of its youth is a chance to be seized today, with actions both small and large, locally and statewide.

In his closing remarks, Assistant Commissioner at the Department of Corrections, Colin O'Neill challenged us to join him in committing to reducing confinement by an additional 30%. Tony Cipollone, head of the John T. Gorman Foundation also announced the upcoming release of a policy brief focused on issues facing youth in transition in Maine, and restated their commitment to helping Maine retain the full potential of every single young person in the state. The examples of youth justice reform shared at the summit are not only replicable in Maine; Maine has the potential to become a national leader for what is possible in youth justice.

Our low numbers are an advantage, providing the opportunity to build a new future of youth justice that is innovative, individualized, and founded on the latest research and best practices. As evidenced at the summit, Maine youth justice stakeholders are a group of passionate, creative, and caring individuals who are willing and able to put in the hard work and who possess a plethora of ideas of where to begin the process of moving towards better outcomes for Maine youth.

“We can and we should make our state the model of juvenile justice reform in the United States.”

*Tony Cipollone,
The John T. Gorman Foundation*

Next Steps

The following four steps would respond to most, if not all of the recommendations put forth by the participants of this summit and echo goals and recommendations that arose out of the 2010 “Maine Rising” report;³¹

- 1. Conduct a systems assessment.**

As recommended in the recent Center for Children's Law and Policy audit of the Long Creek Youth Development Center, there is a need for a comprehensive system review to assess needs and service gaps. The review would cover all system policies and practices including all agencies that serve at-risk youth (including DHHS), as well as stakeholders like law enforcement, judges, prosecutors, defense attorneys, youth and family members. It would also examine different models of care for justice-involved youth that do not rely on large facilities but instead utilize smaller, regionally based programs that serve smaller numbers of youth.³²

- 2. Develop a plan for a continuum of care.**

A system of in-home, community-based, and evidence-based out-of-home services for youth can be realized in Maine. This begins with a comprehensive asset map of resources within each community to understand where services exist currently and where they can and should be developed. This can be married with the systems review to help inform practitioners, policy-makers, and funders where to best target resources to achieve the best outcomes for youth and public safety.

- 3. Integrate public and private funds to create a flexible funding system for youth who are served by multiple state agencies.**

Funding barriers, access to funding, and the disjointed nature of how services are currently funded for Maine youth was the primary issue brought up by summit attendees.

4. **Fund a task force or council charged with coordination and oversight of these changes.**

For implementation of these goals to be successful there must be incentives for collaboration and leadership to steer, evaluate, and synchronize reform efforts.

The State of Maine has been working at youth justice reform for decades and has achieved some success, but we must redouble our efforts in order to ensure all our youth thrive. Long Creek Youth Development Center has become Maine's default response to address youth mental health and behavioral health issues, homelessness, sex trafficking, and a host of other issues that are not solved by incarceration.

It is time to roll up our sleeves and find alternative solutions that more effectively serve our most vulnerable youth. Let's strive towards a day where ***“all Maine juvenile justice involved youth experience a fair, equitable, responsive system that contributes to positive youth outcomes.”***

We have the data, resources, and knowledge we need to get there.

It is time to invest in a new vision for youth justice in Maine.

Endnotes

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- ¹ Juvenile Justice Task Force. (2010). *Recommendations Document*. Retrieved from http://muskie.usm.maine.edu/justiceresearch/JuvenileJusticeTaskForce/Documents/Recommendations_Report.pdf
- ² The Annie E. Casey Foundation (2017). *JDAI Presentation* [powerpoint slides]. Opening remarks provided by Gail D. Mumford at the Youth Justice in Maine: Imagine a New Future Summit on November 17, 2017.
- ³ Maine Department of Education. High School Graduation and Dropout Rates, 2014–2015. Retrieved from <http://www.maine.gov/education/gradrates/gradrates.html>
- ⁴ Data provided by Maine Department of Corrections
- ⁵ Data provided by Maine Department of Corrections
- ⁶ Rovner, J. (2016). *Racial Disparities in youth Commitments and Arrests*. (Policy Brief April 2016). Retrieved from <http://www.sentencingproject.org>
- ⁷ Holman, B., and Ziedenberg, J. (2011). *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities*. Washington, DC: Justice Policy Institute. Retrieved from: goo.gl/JUHPJj
- ⁸ McCarthy, P., Schiraldi, V., and Shark, M. (2016). The Future of Youth Justice: A Community-Based Alternative to the Youth Prison Model. *New Thinking in Community Corrections, October 2016 No. 2*. National Institute of Justice, Harvard Kennedy School. Retrieved from: goo.gl/xLHX93. See also, The National Collaboration for Youth. (2016). Beyond Bars: Keeping Young People Safe at Home and Out of Youth Prisons. Retrieved from <http://www.collab4youth.org/news?id=737>
- ⁹ Center for Children's Law and Policy. (2017). *Long Creek Youth Development Center Conditions Assessment Narrative Report*. Retrieved from: goo.gl/fyA4pF. See also, Disability Rights Maine. (2017). Assessing the Use of Law Enforcement By Youth Residential Service Providers. Retrieved from <http://drme.org/assets/> and Maine Department of Corrections, "Profile of Youth Committed at Long Creek Youth Development Center as of July 1, 2016" (2017).
- ¹⁰ McCarthy, P., Schiraldi, V., and Shark, M. (2016). The Future of Youth Justice: A Community-Based Alternative to the Youth Prison Model. *New Thinking in Community Corrections, October 2016 No. 2*. National Institute of Justice, Harvard Kennedy School. Retrieved from: goo.gl/xLHX93
- ¹¹ Bernstein, N. (2014) *Burning Down the House: The End of Juvenile Prison*. New York: The New Press.
- ¹² Smith, B. (1998). Children in Custody: 20-Year Trends in Juvenile Detention, Correctional, and Shelter Facilities. *Crime & Delinquency*, 44(4).
- ¹³ Cahalan, M. (1986). *Historical Corrections Statistics in the United States, 1850–1984*. Rockville, MD: U.S. Department of Justice, Bureau of Justice Statistics.
- ¹⁴ Justice Policy Institute. (2014). *Sticker Shock: Calculating the Full Price Tag for Youth Incarceration*. URL: goo.gl/pc3Trp.
- ¹⁵ Center for Children's Law and Policy. (2017). *Long Creek Youth Development Center Conditions Assessment Narrative Report*. Retrieved from: goo.gl/fyA4pF.
- ¹⁶ National Research Council. (2013). *Reforming Juvenile Justice: A Developmental Approach*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/14685>. Additional resources can be found at the Massachusetts General Hospital Center for Law, Brain and Behavior website: <http://clbb.mgh.harvard.edu/juvenilejustice>
- ¹⁷ The Pew Charitable Trusts. (2015). Re-Examining Juvenile Incarceration [brief]. Retrieved from: goo.gl/prqkbq
- ¹⁸ Holman, B., and Ziedenberg, J. (2011). *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities*. Washington, DC: Justice Policy Institute. Retrieved from: goo.gl/JUHPJj

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- ¹⁹ Dumont, R. & King, E. (2017). Youth recidivism: Diversion to discharge in Maine's juvenile justice system. Retrieved from <http://muskie.usm.maine.edu/justiceresearch/>
- ²⁰ The Annie E. Casey Foundation. (2011). *No Place for Kids*. Baltimore, MD: Richard A. Mendel. Retrieved from www.aecf.org.
- ²¹ The Annie E. Casey Foundation. (2015). *Maltreatment of Youth in U.S. Juvenile Corrections Facilities*. Baltimore, MD: Richard A. Mendel. Retrieved from www.aecf.org.
- ²² Disability Rights Maine. (2017). Assessing the Use of Law Enforcement By Youth Residential Service Providers. Retrieved from <http://drme.org/assets/>
- ²³ Maine Department of Corrections. (2017). "Profile of Youth Committed at Long Creek Youth Development Center as of July 1, 2016". Corrections Documents. 33. URL: goo.gl/ouaDTH
- ²⁴ Dumont, R. & King, E. (2017). Youth recidivism: Diversion to discharge in Maine's juvenile justice system. Retrieved from <http://muskie.usm.maine.edu/justiceresearch/>
- ²⁵ The National Collaboration for Youth. (2016). *Beyond Bars: Keeping Young People Safe at Home and Out of Youth Prisons*. Retrieved from <http://www.collab4youth.org/news?id=737>
- ²⁶ *Ibid.*
- ²⁷ Evans, D. and Delgado, S. (2014). *Most High Risk Youth Referred to Youth Advocate Programs, Inc. Remain Arrest Free and in their Communities During YAP Participation*. John Jay College of Criminal Justice. Retrieved from <https://johnjayrec.nyc>
- ²⁸ Lucas County Juvenile Court. (2016). *2016 Annual Report*. Retrieved from <https://www.co.lucas.oh.us/DocumentCenter/View/65068>
- ²⁹ The National Collaboration for Youth. (2016). *Beyond Bars: Keeping Young People Safe at Home and Out of Youth Prisons*. Retrieved from <http://www.collab4youth.org/news?id=737>
- ³⁰ Davis, A., Irvine, A., and Ziedenberg, J. (2014). *Engaging Juvenile Justice System-Involved Families*. National Council on Crime and Delinquency. Retrieved from: goo.gl/VqnXvv
- ³¹ Juvenile Justice Task Force. (2010). *Recommendations Document*. Retrieved from http://muskie.usm.maine.edu/justiceresearch/JuvenileJusticeTaskForce/Documents/Recommendations_Report.pdf
- ³² Center for Children's Law and Policy. (2017). *Long Creek Youth Development Center Conditions Assessment Narrative Report*. Retrieved from: goo.gl/fyA4pF

Appendix A: More Resources

Juvenile Justice in Maine

Assessing the Use of Law Enforcement by Youth Residential Service Providers.

URL: <http://drme.org/assets/>

Long Creek Youth Development Center Board of Visitors 2016 Annual Report.

URL: goo.gl/rgqX3d

An Initiative to Develop a Sustainable Restorative Juvenile Justice System: A Final Report to Maine's Juvenile Justice Advisory Group. URL: goo.gl/g9bHBB

Disproportionate Contact: Youth of Color in Maine's Juvenile Justice System.

<http://www.maine.gov/corrections/jjag/PDF/DMC.FINAL.05.15.2015.pdf>

Recidivism: Diversion to discharge in Maine's juvenile justice system. URL:

<http://muskie.usm.maine.edu/justiceresearch/>

An Improved Police Response to Juveniles in Crisis – A Collaborative Approach.

URL: goo.gl/QGxCH3

Unsealed Fate: The Unintended Consequences of Inadequate Safeguarding of Juvenile Records in Maine. URL: goo.gl/HsgL8J

Profile of Youth Committed at Long Creek Youth Development Center as of

July 1, 2016. URL: goo.gl/ouaDTH

National Juvenile Justice Research

Lesbian, Gay, Bisexual and Transgender Youth in the Juvenile Justice System.

URL: <http://www.aecf.org/resources/>

The Future of Youth Justice: A Community-Based Alternative to the Youth Prison Model. URL: goo.gl/xLHX93

Beyond Bars: Keeping Young People Safe at Home and Out of Youth Prisons.
<http://www.collab4youth.org/news?id=737>

How Does Incarcerating Young People Affect Their Adult Health Outcomes?
<http://pediatrics.aappublications.org/content/139/2/e2016262>

Unjust: How the Broken Juvenile and Criminal Justice Systems Fail LGBTQ Youth.
<http://www.lgbtmap.org/criminal-justice-youth>

Maltreatment of Youth in U.S. Juvenile Correctional Facilities (AECF, 2015): An update to the Annie E. Casey Foundation's 2011 report, *No Place for Kids*. URL: goo.gl/a4CYRL

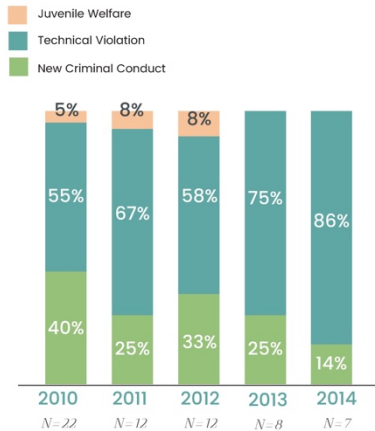
Re-Examining Juvenile Incarceration: High Cost, poor outcomes spark shift to alternatives. URL: goo.gl/Lw8ctc

Safely Home (Youth Advocate Program, Inc., 2014). URL: goo.gl/a6mzHd

Sticker Shock: Calculating the Full Price Tag for Youth Incarceration. (Justice Policy Institute, 2014).
URL: goo.gl/pc3Trp

Appendix B

RECIDIVISM



2X

AS MANY YOUTH were returned to a secure facility for TECHNICAL REASONS as were returned for NEW CRIMINAL CONDUCT.

The proportion of youth returned for TECHNICAL REASONS INCREASED OVER TIME.

Risk level is a predictor of recidivism for both supervised and committed youth, and low risk youth from both these groups recidivate at low rates.

59%

OF YOUTH

committed to a secure juvenile facility were committed with MISDEMEANOR OFFENSES.

56%

OF YOUTH

committed to a secure juvenile facility were assessed as LOW TO MODERATE RISK.

RECIDIVISM



93%

OF DIVERTED YOUTH DO NOT RECIDIVATE

Diversion

7%

RECIDIVISM RATE

N = 8,621

Diverted youth have been referred to DOC, which has determined that it is in the best interest of the juvenile, his/her victim(s), and the community to resolve the case without pressing formal charges.

Supervision

35%

RECIDIVISM RATE

N = 2,105

Supervised youth are those who had formal charges brought against them, were adjudicated by a judge, and subsequently placed under the supervision of the DOC within the community.

Aftercare

42%

RETURN RATE

N = 261

These youth have been adjudicated, committed to a secure facility and then released back into the community for additional supervision.

Discharge

53%

RECIDIVISM RATE

N = 458

Discharged youth have been adjudicated, committed to a secure juvenile facility, and subsequently discharged from all supervision.

MENTAL HEALTH CROSSOVER



Currently committed to Long Creek in 2016 came
DIRECTLY FROM RESIDENTIAL TREATMENT.

Opportunities for Reform

DOC Region 3 has been working in partnership with Sweetser North, law enforcement and local community providers and stakeholders to reduce the number of police call outs. This strategy is scalable to other areas of Maine.

The number of
POLICE CALL OUTS
from residential treatment

DECREASED
69%

from 121 in the first quarter of 2017
to 37 in the second quarter.

The number of new Intensive Temporary
Residential Treatment (ITRT) Youth **REFERRED**
TO DOC FROM LAW ENFORCEMENT

DECREASED
81%

from 11 in the first quarter of 2017
to 2 in the second quarter.

SHRINKING YOUTH JUSTICE POPULATION

ARRESTS

since 2014

18%

DECREASE

Youth crime is at an all time low.

ADJUDICATIONS

since 2014

59%

DECREASE

REFERRALS TO DOC

From Law Enforcement, since 2014

48%

DECREASE

DAILY POPULATION

at Long Creek, since 2014

36%

DECREASE

DIVERSIONS

since 2015

12%

INCREASE

LENGTH OF STAY

at Long Creek, since 2014

30%

DECREASE

BUT is still nearly DOUBLE the
recommended best practice

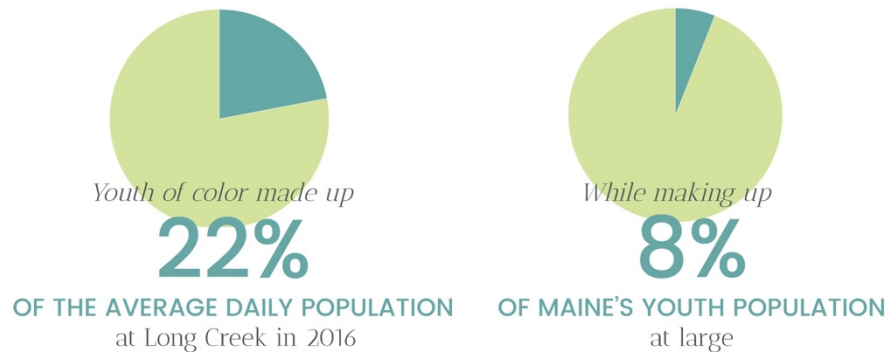
Opportunities for Reform

In your role/system, what can you do ensure that the right youth get
the right level of supports in the right places for the right reasons & the
right length of time?

IDENTITY, EQUITY & RESPONSIVITY

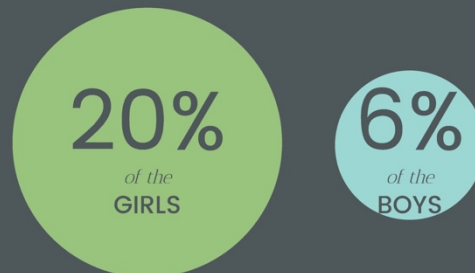
Youth of Color

ARE **OVERREPRESENTED** IN MAINE'S YOUTH JUSTICE SYSTEM



Girls

ARE CONFINED FOR TECHNICAL VIOLATIONS AT A **HIGHER RATE THAN BOYS.**



Were confined for technical violations at Long Creek in 2016.

LGBTQ+ & Gender Nonconforming (GNC) Youth

ARE **OVERREPRESENTED** IN THE YOUTH JUSTICE SYSTEM NATIONALLY



Currently confined at Long Creek are engaging & organizing with Portland Outright.

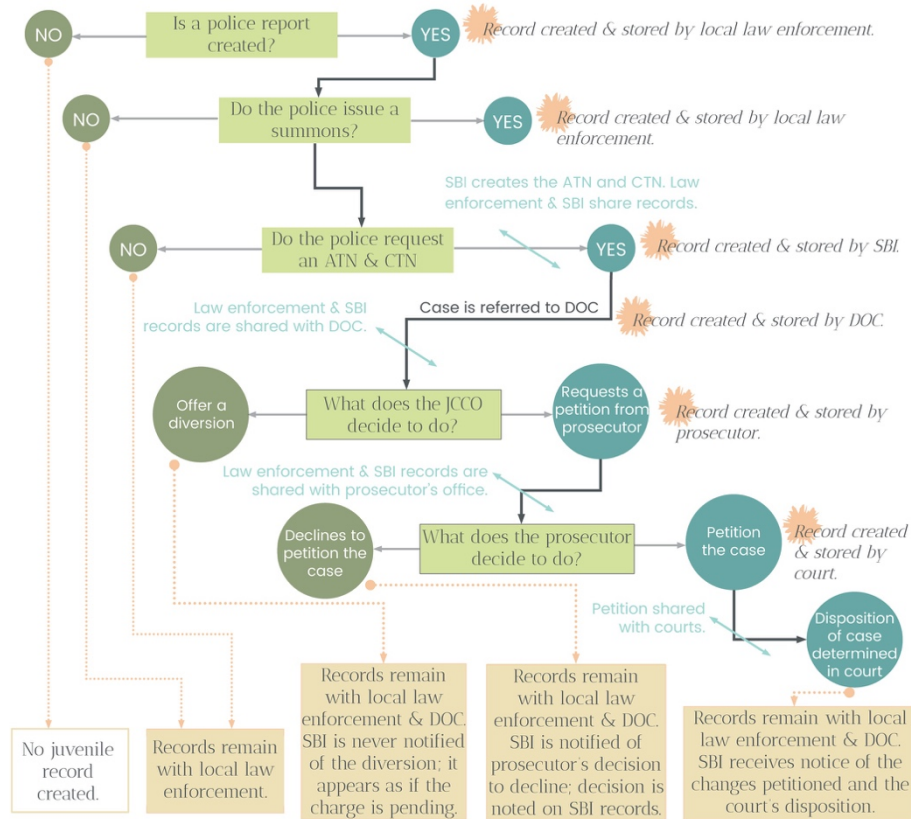
National data estimates that LGBTQ & GNC youth are incarcerated at a rate close to **THREE TIMES HIGHER** than their percentage in the general population.

COLLATERAL CONSEQUENCES

Anatomy of a Juvenile Record*

Follow the path to find out what typically happens when a young person has contact with the police and is accused of a juvenile offence.

* A juvenile record refers to all information that has been generated by criminal justice agencies that may lead to collateral consequences later in life.



Opportunities for Reform

- ⊗ Increase stakeholder training and education.
- ⊗ Revise, or develop, and formalize system and personnel guidance. Raise public awareness around juvenile records and collateral consequences.
- ⊗ Make changes in law and administrative practice.
- ⊗ Ensure youth and family access to information.

Facilitator:

TABLE TALK AGENDA

1:45PM – 2:05PM CHECK-IN (20 MINS)

Assign Roles: 1 Recorder (Note-taker) & 1 Timekeeper at each table

Prompts:

- > Introduce yourself by briefly sharing your name, your role/ system
- > As you reflect on the keynote, plenary and other speakers from the day, what has been most impactful?

RESULT: Participants will have an opportunity to reflect and share reactions of keynote, plenary and other speakers.

2:05PM – 2:20PM DISCUSSION: DATA & RESULTS (15 MINS)

Remind them of the data walk (copy of data walk is in their packets)

Prompts:

Imagine a youth justice where all Maine Justice Involved youth experience a fair, equitable, responsive system that contributes to positive youth outcomes.

- > What in this data speaks to the contributions your system/ program makes to that result?

RESULT: Participants use data to inform discussions around strengthening Maine's community based continuum of care.

Facilitator: Table Talk Agenda

2:20PM – 2:50PM **DISCUSSION: BARRIERS & SOLUTIONS (30 MINS)**

Acknowledge that barriers are inevitable in this work and part of our call to action is to identify those barriers as well as potential solutions.

Prompts:

- What barriers do we face to strengthening our community based continuum of care?
- What should be done at the policy and legislative level to build and bridge to stronger communities?
- What do we need to do at the program and practice level to strengthen our continuum of care?

RESULT: Participants identify local and statewide barriers to strengthening a community based continuum of care in Maine.

2:50PM – 3:00PM **SUMMARIZE (10 MINS)**

Summarize themes for report out into brief, discrete phrases (10 words or less)

Assure them that notes will be used to inform post-summit JJ reform activities.

Prompts:

- **In ten words or less**, what should be done at the policy and legislative level to build and bridge to stronger communities in Maine?
- **In ten words or less**, what do we need to do at the program and practice level to strengthen our continuum of care?

RESULT: Participants will provide input into Maine youth justice legislative, policy, program, and practice priorities.

3:00PM – 3:30PM **LARGE GROUP REPORT OUT (30 MINS)**

Either facilitator or note-taker can participate in reporting out

RESULT: Participants ideas will inform Maine Youth Justice Reform White Paper