

JUVENILE JUSTICE UPDATE

By Marilyn Sesler, LWVO Specialist on Juvenile Justice Issues

*“The test of the morality of a society is what it does for its children.”
- Dietrich Bonhoeffer*

For over 30 years the LWVO has been active in the juvenile justice area. **The League supports a restorative juvenile justice system. A system with appropriate care and protection for the satisfactory physical, mental, and educational development of children in the juvenile justice system.**

This broad statement, as is appropriate for League positions, encompasses children not only in state and local institutions, but in treatment programs ordered by the juvenile court, on parole and in aftercare programs. These are children for which the state has responsibility, just as a parent does (called “in loco parentis”). We, as citizens, share in this responsibility.

In recent years, the League has worked in a coalition with other organizations focused on Ohio’s juvenile justice system. The Juvenile Justice Coalition (JJC) is made up of individuals and organizations such as the Children’s Defense Fund, Voices for Ohio’s Children, Ohio Public Defender, Ohio Assn. of Child Caring Agencies, National Youth Advocate Program, Alliance of Child Caring Service Providers and others. The Coalition monitors the state system and advocates for change and improvement (a tall order). To my knowledge it is the only such group in the state. As a member of the JJC Board, I represent LWVO. We have narrowed our focus in order to concentrate on the Department of Youth Services and the 9 correctional and rehabilitation institutions (one privately operated) that house youthful offenders ages 11-20.

Background of the Department of Youth Services

The mission of the Department of Youth Services (DYS) is “To enhance public safety by holding youthful offenders accountable and providing opportunities for rehabilitation.” The Coalition has a philosophic difference with this mission. Over-emphasis on the public safety function has resulted in funds being used for fences and barbed wire instead of strong educational, physical and mental health treatment programs that will enable youth returning to the community (and they all do return) prepared to function in today’s society. In addition to housing offenders, DHS is responsible for supervising 2,000 (in 2005) youth released on parole. DHS also operates 12 Community Correctional Facilities in various parts of the state. DHS manages RECLAIM Ohio, the statewide program that encourages local juvenile judges to develop community based treatment and counseling programs that keep nonviolent offenders out of the state system and meet their needs locally. These funds allow DHS to support 600 community based programs. The Department budget is \$293 million (including federal sources) with \$150 million allocated for institutions.

Correctional and Rehabilitation Facilities

Based on 2006 data provided by DHS, the institutional population is about 1,800. Of that number, 92% are male, 53% black, 41% white, 2% Hispanic, 4% other. Of the youth sentenced, 38% committed property crimes, 29% committed crimes against persons, 28% committed crimes against property, 12% committed sex-related crimes, 10% committed drug-related crimes, 10% other, and 1% committed homicide (this does not include the youth who were tried and found guilty in adult courts and serving time in adult prisons).

While there are attempts to improve the management, programming and general operation of the institutions, the US Dept. of Justice and advocacy groups have stated concerns about the violation of youthful offenders' rights (right to speak to an attorney) and basic safety issues (physical safety of offenders), and civil and criminal suits have been filed against DYS. It is generally recognized that operating large facilities with minimal programming and lacking highly trained staff has poor results for youth, and Ohio data proves that to be true. The number of youth returning to institutions is unacceptably high.

The JJC supports the efforts of Director Tom Stickrath to expand programming and improve the quality of staff training. We are in regular communication with the Director and meet with him and his staff periodically. We know that over recent years, DYS has not received the funding necessary to improve programming. In fact, continuing, deep cuts in the DYS budget have been made by past Legislatures and Administrations. Youthful offenders are not high on the list of policy makers, yet the juvenile justice system affects thousands of families and communities throughout the state and uses millions of tax dollars.

Institutional Visits

JJC members have visited each of the institutions. We work with the Director's Office and Superintendent to schedule a day long visit following the same agenda. Several of our members are former DYS staff, others have expertise in juvenile justice issues and each of us prepares for the visit becoming familiar with the unique programming of the institution and its population. It is a sobering experience and, at least for me, a very sad day. One sees so many youth, who at such an early age, face huge challenges to become a productive adult. The preponderance of black youth from cities, many of whom have no positive experiences with the school system, the mental health system or drug treatment programs is, to say the least, very depressing. Many have substance abuse issues and most have experienced some type of domestic abuse. A large percentage of youth come from troubled families. Successful rehabilitation requires family participation with the youth. There are many families who never visit the youth while he\she is incarcerated because almost all of the institutions are located in rural settings where transportation is unavailable. A trip from Cleveland to Chillicothe or Portsmouth requires an overnight stay; this helps explain the lack of family visits.

In general, JJC members have been welcomed by staff. They are pleased to see a group of knowledgeable citizens who are genuinely interested in improving the system. This is not to say that everyone is warm and friendly, but staff discuss their particular program and its challenges. We are usually able to talk with youth privately if they wish. Some have lots of complaints; yet others tell us that they are learning how to control their anger or deal with their substance abuse problems and pressures of the streets. We have lunch at the facility eating what the youth do (yes, we pay for it). We have time to debrief and ask questions of staff. We are always accompanied by DYS Central Office staff (who also answer questions). After the visit, a report is drafted and forwarded to the Director.

In general, institutions are overcrowded, with youth sometimes double bunking in small cell-like rooms. There is too much down time, especially for youth who have completed their GED or other programs and who could benefit from additional education.

The institutions, while well maintained, are old and not conducive to state-of-the-art treatment. Their location, as mentioned above, does not allow for diversity in the staff, a very important issue.

This has been a very quick overview of only one part of the DYS operation and an even smaller sketch of the juvenile justice system. Ohio is a state where local judges have a great deal of authority and power not only over the offender, but over the kind of local programs that are developed. Change is slow in coming in the field. That is where local Leagues can be of great help in improving the system which warehouses too many of our children and takes away their chances to become successful.

Local Leagues' and Members' Involvement

There are many ways you can get involved! Read the full LWVO position on juvenile justice (see LWVO's *Agenda for Action*, page 15, available at <http://www.lwvohio.org/pdf/Advocacy/agenda%20for%20action.pdf>). Find out about your county juvenile justice system. Interview the local players such as County Commissioners who control a large portion of the local court budget, find out what kinds of local programs are supported by the Court and how many youth participate. Visit the local detention facility or the local Community Corrections Facility or DYS facility. Visit alternative programs that keep youth out of DYS. If you need help in any of these areas, please contact me (at LWVO, toll free: (877) 598-6446; lwvoinfo@lwvohio.org).

If you are successful in scheduling a visit to an institution, be sure to contact me for a copy of "Visiting Youth Prisons: A Guide for Citizen Review". It is important to do things the "League" way....meaning preparation and research so that you can benefit from the tour and inaction with institutional staff and you know what to look for and listen for. Find out if there are citizen groups who have concerns about the system and get acquainted. Find out if there are volunteers who provide support for programs that serve youthful offenders.

If League members consider themselves advocates for children and families, then they should educate themselves about the juvenile justice system. Thousands of families are affected by this system, and many of them are unable to advocate for their children. Tax dollars are being used to isolate youth far from home, often without programs that can turn them around. Tell judges and court personnel that League supports locally based programs and find out what is needed in communities to expand treatment, education and mental health services for youthful offenders.

If you have an interest in joining JJC, contact me and I will provide you with membership information—and visit the JCC website at <http://www.juvenilecoalition.org/>.

Marilyn Sesler
Juvenile Justice Specialist
LWVO at 1-877-598-6446; lwvoinfo@lwvohio.org