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**Before the United States House of Representatives Sub-Committee
on Healthy Families and Communities and the Judiciary's
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Security**

“Lost Educational Opportunities in Alternative Settings”

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I am Leonard B. Dixon, Past President of the National Juvenile Detention Facility. I am also a member of the American Correctional Association and the Council of Juvenile Correctional Administration and the Executive Director of the Wayne County Juvenile Detention Facility in Detroit, Michigan. I want to thank Chairwoman McCarthy, Chairman Scott, and Ranking Members Representative Platts and Representative Gohmert for inviting me here today, and thank this body for the opportunity to testify before you today. My topic for this short discussion are my views on – ***“Lost Educational Opportunities in Alternative Settings.”*** On behalf of Wayne County Executive Robert A. Ficano I would like to thank you again for this opportunity.

At the Wayne County Juvenile Detention Facility, upon admission into the facility, each juvenile is sent through a battery of tests. These tests are used to assess the youth’s mental and physical health, as well as other issues, like substance abuse. These assessments are made prior to the youth seeing a jurist or a magistrate. Critical to the successful outcome of their time in the detention facility and to success in their home, community or alternative setting is the identification of problems that contribute to a delinquent lifestyle. Juveniles receive medical and substance abuse assessments within the first 24 hours of admission and the findings of the evaluations are placed into the juvenile’s court record. Referrals for needed services that are derived from the measurements are provided at the time of their entry into the system. Educational assessments are made by the charter school staff to support the development of individualized learning plans for each child remaining in detention after the first 48 hours of their admission to the facility.

Psychosocial and preliminary plans of services needed are prepared by social workers to support family involvement when it is the best interest of the juvenile. Additionally the family

dynamics are evaluated to assess whether or not they are detrimental to the juvenile's well being. These services and the swiftness in which they are implemented are unprecedented in most of the other 3,257 short-term secure juvenile detention and correctional facilities. In fact, they do not provide a holistic approach of care for detained youth.

With the increase in the arrest rate for females and young juvenile offenders, the composition of violent offenders in the juvenile system has changed. It is critical to the juvenile's future that these and other assessments are conducted expeditiously. The juvenile in a detention setting is in crisis and his or her needs must be addressed promptly, before a decision is made to return him or her to the community. These evaluations such as the ones previously mentioned also assist families in identifying community-based resources designed to service the identified needs of the juvenile and oftentimes of the family as a whole.

The Wayne County Juvenile Detention Facility, (WCJDF) is a multidisciplinary facility in that we service the needs of the whole child. In the area of education, we have an on-site charter school that is accredited by the State of Michigan. The school operates six and a half hours per day, five days a week and half-day sessions on Saturdays. All juveniles are assessed for their educational functioning in mathematics, reading and language arts. A self-assessment of the juvenile's learning style, interest levels, and personality characteristics is also administered. This assessment process also attempts to identify the special learning needs and/or services of youth who qualify for the Individuals with Disabilities Education Act (IDEA).

Qualified teaching staff implements all educational evaluations that are conducted in the Blanch Kelso Bruce Academy, charter school at the WCJDF. After school educational assistance is provided for youth functioning below their grade levels on Monday through Thursday, totaling eight hours per week, a general GED program is also made available for eligible students.

The core components of the educational services that are offered include courses in reading, mathematics, science, english, grammar and physical education/health. The school also has an on-site library for student use that is funded by Wayne County. Residents who reside in the facility for periods in excess of two weeks will have progress reports prepared and made available to parents, case workers/managers and school officials. Report cards are also prepared and made available to the home school of any juvenile that receives on-going educational services for a grading period of nine weeks in the facility. The most recent data for the school period from September 2007 to June 2008 that of the 294 juveniles admitted 237 who were in the facility more than 30 days showed measurable improvements of 1 to 2 grade levels in the areas of Math Computation and Application, English (Writing) and/or Reading.

After admission, any student who meets the criteria for IDEA is assigned to a teacher consultant under the direction of the special education director, to ensure continuity in services, between the school at the facility and the youth's home school. The process includes reviewing and addressing priority goals that are outlined in an Individual Education Plan of each student. This information is then used to provide access to appropriate educational services and/or resources. A complaint raised in many jurisdictions is the inability of the education program in the alternative placement (detention and correctional facilities) to obtain prior school records for youths. All though that is not a major problem in Wayne County, other programs around the country often wait months to receive school information or not receive it at all. School records are critical in assisting teachers and program staff in their decision-making. Youth enter these alternative placements with numerous impairments such as:

1. Cognitive impairments
2. Emotional impairments

3. Visual impairments
4. Learning disabilities such as speech and language impairments

These disabilities once identified are addressed by the institutions and assist in their ability to treat youth in their care. Without adequate information from local schools there is a risk of youth in detention returning to community schools and being adequately prepared for a successful re-entry and become involved in behaviors that are detrimental to themselves and the community.

The staff to youth ratio in the school is threefold: first, there is one instructor assigned to each classroom of fifteen students (1:15). A teacher's assistant may be assigned to an individual class to assist in the execution of instruction with individual students. In addition, there is one juvenile detention specialist assigned to each classroom to ensure adequate levels of safety and supervision. When necessary, there are teacher consultants assigned to specific classrooms at the discretion of the Curriculum Director to address the facility's special needs children, (IDEA) who attend general education classes.

Currently, a number of juvenile detention centers/facilities receive semi-annual allocations/appropriation of funds from the state that are consistent with student head count on a single day/point in time. It is my belief that this is one cause for the loss of educational opportunities in alternative settings. Most centers and facilities have fixed bed capacities and the capacity is controlled and/or regulated by a judicial system or some other regulatory body. With one count being taken on a single day or point in time funding usually will not be enough to support the needs of the facility because the actual length of any stay in a facility varies.

Throughout the course of one year's funding, the actual number of youth that are served is very easily under-represented. This level of under-representation results in inadequate funding, especially for IDEA eligible youth.

WCJDF also has an on-site, 24 hour, seven day a week medical program. Juveniles are seen by a registered nurse prior to placement on a residential pod and receive a dental screen by a licensed dentist or a certified dental assistant within the first 24 to 48 hours after initial admission into the facility. Youth receive a full medical assessment (initial physical) by a licensed pediatrician during the same time frame. All juveniles are checked for the need for mental health services within the first 48 hours of admission or sooner if they have a history of psychiatric placements or a history of mental health disease. Gynecological services are offered to all females upon admission including pregnancy testing and prior to the dispensing of any form of medication. Testing for sexually transmitted diseases (STD) is provided for both male and female youth.

Social work and clinical staff conducts numerous assessments with the juvenile and identified parent or legal guardian within the first week of admission including a psycho-social assessment, preliminary service plan and a level one mental health screening. From these tests, decisions are made regarding visitation, telephone contacts, identification and verification of parents and legal guardians. The tests also identify the need for referrals for ancillary services. When there are identified gaps in a juvenile's background or no identified plan for future services or placements, the facility will conduct what we like to call (I-Team) meeting, which is an Interdisciplinary Team Decision-Making meeting. All disciplines within the facility meet to present their findings on the juvenile and formulate a recommendation that can be presented to the juvenile's court-ordered case manager or parent/legal guardian. This all-encompassing, holistic approach to the housing of juvenile offenders offers the youths a greater chance to become a productive member of the society. Any alternative placements (detention or correction facilities) should have the following:

1. an appropriate classification process
2. adequate health and mental health services
3. access to the community and legal representation
4. a variety of programs
5. adequate training program for staff
6. a clean and esthetically pleasing environment
7. adequate restraint, punishment, due process for youth and appropriate grievance process
8. and a safe environment for youth to learn

Agencies that hold juveniles accountable for their actions and provide programming to assist in the development of social skills increase the likelihood of success upon their return to the community. Youth should be required to make restitution and/or perform community service for the damage caused by their delinquent acts such as the Balance and Restorative Model used at the WCJDF and the Wayne County Department of Children and Family Services Division of Juvenile Services , which are both considered national models. This model is used as a comprehensive approach for juvenile justice in Wayne County. As a result, it has increased inter-agency collaboration and family involvement and has helped to reduce the occurrences of juvenile delinquency.

As stated previously, most facilities in the country do not address the majority to juvenile's needs. This is due in part to inadequate funding and properly trained juvenile justice and educational professionals. This is evidenced by the number of juvenile systems that are working under consent decrees, memorandums of understandings with the courts, and other such judicial orders. Recidivism rates in Wayne County are easy to identify based on admission data

maintained at the juvenile facility. The Wayne County Juvenile Detention Facility records show that only 30% of the youth released to the community have been readmitted. Creating and funding resources within the communities to service our kids after school can further reduce this number. There is an old Chinese proverb that says, **“If you are planning for a year sow rice, if you are planning for a decade plant trees, if you are planning for a lifetime educate people.”**

Detention services generally do not include aftercare. What I have found in my 29 years of working with kids is that they want three things: a safe environment, caring adults in their lives and a way of sustaining themselves (i.e. employment). Youth with access to these supportive resources and positive relationships are less likely to experience school failure, substance abuse and delinquency, according to Scales and Leffert (2004).

According to the Office of Juvenile Justice Department of Prevention, allowing one youth to leave school for a life of crime and or drug abuse cost society 1.7 to 2.3 million dollars annually. Based on a study done by the California’s Nonpartisan Fiscal and Policy Advisor these costs are based on the following:

1. cost to government to operate the criminal justice system (police, prosecution, courts, probation, incarceration, parole)
2. medical costs to individuals and government because of injuries suffered due to crime
3. property stolen or damage resulting from crime
4. loss of productivity to society because of death, medical and mental disabilities resulting from crime
5. loss of work time by victims of crime and their families

6. loss of property values in neighborhoods with high rates of crime
7. pain and suffering of crime victims, their families, and friends, as well as communities plagued by crime
8. loss of productive “citizen” when a juvenile offender is not rehabilitated and continues to commit crimes

An example of what happens when youth have an adequate support system is as followings:

Eva (fictitious name) was a 16-year-old teen who was admitted to the WCJDF after being truant from her residential treatment program. While truant she engaged in prostitution in order to survive. Eva came from a neglectful family and was in the foster care system prior to her life on the streets. She had a distrust of the system from which she came, and all adults as she blamed them for her current life circumstances. While in the detention facility, she demonstrated her anger issues by being non-compliant about rules, and was disengaging towards the staff.

Eva was exposed to the services at the facility at the point of admission. This included, medical and dental care, psychosocial assessments, mental health services, and educational testing and tutorial support. Eva had no family support or involvement. The “system” (staff, social worker, teachers, community worker, etc) was her family at this point. Eva began the process of healing, by exploring the multiple “losses” she encountered over the years. She was able, through the assistance of staff/professionals, to make the connections between her “truancy behavior”, (symbolic of “searching” behavior) and the losses in her life. She was supported, accepted, and encouraged to focus on herself.

Eva went on to a residential treatment program in the community to continue what she had begun within the detention facility. Today, Eva is currently in a local college pursuing a

degree in Human Services. She has returned to where it began for her—the detention facility to begin an internship. She hopes to be able to impact other youths long term through working with high-risk teens. She also has a strong desire to become involved in public policy regarding the foster care system. Eva has taken her adversities and has proven that through guidance, support and encouragement anything is possible. Eva’s story, which is true, is that success that will not be that burden or astronomical cost on the system I cited earlier. Adequate resources and good educational programs that help youth upfront save resources on the back end of the system.

In my opinion, there is a wide variance between inner city and suburban school districts in how they receive and utilize the role of law enforcement in the school setting. Suburban and out-county school districts continue to rely on programs such as DARE (Drug Abuse Resistance Education) and GREAT Programs (Gang Resistance Education And Training) that promote pro-social relationships in the community. In these communities the police are viewed as resource and support staff to the students. In the inner city safety is a critical issue for schools. Due to the lack of resources in the communities resource programs in schools for students are almost non-existent. In closing, John Adams would say, **“Laws for the liberal education of youth, especially for the lower classes of people are so extremely wise and useful that to a humane and generous mind no expense for this purpose will be thought extravagant.”**

I thank you for your time and commitment to this effort and hope that we all understand the success we will have as a society when we take care the least of thee.