

**MAFCA JUVENILE JUSTICE
DETENTION AND
RESIDENTIAL BED**

Agenda

Introduction

Juvenile Justice Reform Overview

Residential Advisory Committee

Detention Beds

Questions

Juvenile Justice Reform-Michigan Justice for Kids and Communities

- Establishes a minimum framework of juvenile justice best practices statewide, by requiring each jurisdiction to consistently 1) use validated screening and assessment tools to inform diversion, consent calendar, detention, and dispositional decisions; 2) utilize research-based juvenile probation standards to be developed by SCAO; and 3) Employ a local quality assurance specialist to support the county with implementing research-based practices (except Tribes or counties receiving the basic grant).
- Expands what the CCF can be used for, now to include practices starting when a complaint, referral, or petition is generated for a youth at risk of juvenile court involvement through residential placement and reentry.
- Increases the reimbursement rate from 50% to 75% for in-home services, including community-based supervision and services and for the use of respite and shelter care for under 30 days.
- A risk and needs assessment shall be conducted by a designated individual or agency on every youth prior to disposition, and results shall be used to inform a dispositional recommendation.
- A detention screening tool must be conducted prior to a youth being detained in a secure detention facility.
- The court must use the results of the detention screening tool to inform decisions on the use of secure detention. Results from the tool must be shared with all parties to the case prior to a detention hearing.
- A risk screening tool and a mental health screening tool must be conducted on a youth before making a diversion or consent calendar decision, unless 1) a youth is accused of a specified juvenile violation; or 2) a youth is currently under supervision.

Juvenile Justice Reform-Michigan Justice for Kids and Communities

- Eliminate fines and fees associated with juvenile court involvement with the exception of restitution and the Crime Victims Fund.
 - Expand the State Appellate Defender Office to include appellate services for juveniles, which will include post-dispositional services.
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- *Support MDHHS to respond in a more flexible way to bed shortages, staff retention challenges, and service needs.*
 - Ensure that developmentally appropriate factors are used to inform decisions to waive or designate a youth to the adult criminal justice system.

RESIDENTIAL ADVISORY COMMITTEE

RESIDENTIAL ADVISORY COMMITTEE (RAC)

- MAFCA made the request to address the immediate and urgent need for detention and residential beds during the July 2022 Juvenile Justice Reform vote in Lansing.
- In October 2022, Governor Whitmer issued an Executive Order to appoint various stakeholders to “The Residential Advisory Committee (“Committee”) is created as an advisory body within the Michigan Department of Health and Human Services (“Department”).”

RESIDENTIAL ADVISORY COMMITTEE (RAC)

- Review licensing standards for state-run, locally run and privately run juvenile justice facilities and make recommendations to improve evidence-based standards for juvenile justice residential placements, regardless of facility or wardship type.
- Review staff training, service standards, and length-of-stay guidelines for local detention and residential facilities and make recommendations to improve or strengthen each.
- Review existing case management standards, which could include risk and needs assessments, service delivery, behavioral health treatment, family-team meetings, dual ward policies, and reentry planning process and recommend baseline standards to guide long-term post disposition residential placements, regardless of county of wardship.
- Recommend criteria to measure progress toward evidence-based outcomes, including educational outcomes, for youth placed in residential facilities.
- As of the writing of this presentation there is no final report or recommendations.

MAFCA and RAC

- Detention beds (2020-2024) were open but due to staffing shortages the beds were not occupied.
 - The lack of regional secure beds is extremely challenging for law enforcement and courts (northern Michigan and the Upper Peninsula).
- State Institutions (Bay Pines and Shawano) had/have waiting lists extending out 12+ months in some instances (and now Shawano closed)
 - State is working with Macomb County and Spectrum for secure/high risk beds
- Residential beds are/were ejecting/rejecting court ordered youth (or waitlisting) for various reasons (assaultive, destructive, staffing, etc.)

MAFCA Potential Solutions

- MAFCA has been working on proposed solutions for 3-4 years.
- Regionalize existing secure detention beds and consideration given to a new facility in Grand Traverse County.
- Utilize existing beds to create (or in some places already exists) specialized programming (sexually offending behaviors).
- Develop contractual processes that alleviate delays in placement or exclude facilities from participating.
- Create a training institute for detention and residential frontline workers.

MAFCA Potential Solutions

- Better define and contractually obligate the reject/eject process for detention and residential programming (utilize risk levels and specialized programming needs).
- Better equip facilities with meaningful support, fair and objective procedures, and safety for all youth and employees.

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THANK YOU