

Residential Facilities For Juvenile Offenders

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February 1995

Program Evaluation Division
Office of the Legislative Auditor
State of Minnesota

Program Evaluation Division

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**Program Evaluation Division
Office of the Legislative Auditor
State of Minnesota**



STATE OF MINNESOTA
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February 15, 1995

Members
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Juvenile crime has become one of the most challenging social problems facing Minnesota and the nation. With increases in the number of serious crimes committed by young offenders, there has been more discussion about ways to prevent and respond to juvenile crime. There is concern that juvenile offenders will grow into adult criminals unless steps are taken to hold them accountable, address their underlying values, and curb their delinquent behaviors.

In June 1994, at the request of the Legislature, the Legislative Audit Commission directed us to study residential facilities that serve juvenile offenders. The results of our study are disappointing. We found that most delinquent juveniles served by residential facilities continue to commit offenses after their release, and many have continued their criminal activity into adulthood.

The causes of juvenile crime are complex, and finding solutions is challenging. While our report will not make that job easier, it will at least give legislators better information about the outcomes of current programs.

We received the full cooperation of the Departments of Corrections and Human Services, the State Court Administrator's Office, the Bureau of Criminal Apprehension, district courts, county probation and social service officials, and many Minnesota residential facilities. This report was researched and written by Joel Alter (project manager), David Chein, Scott Leitz, and intern Kristin Blum.

Sincerely yours,

A handwritten signature in black ink, appearing to read "James Nobles".

James Nobles
Legislative Auditor

A handwritten signature in black ink, appearing to read "Roger Brooks".

Roger Brooks
Deputy Legislative Auditor

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Residential Facilities for Juvenile Offenders

EXECUTIVE SUMMARY

In recent years, there has been a growing concern nationally and in Minnesota about the rise in juvenile crime. More than 45,000 Minnesota juveniles were arrested for all types of offenses in 1993, and there were 8.3 arrests per 100 Minnesota juveniles ages 10 to 17. Juvenile arrest rates for violent crimes increased significantly over the past decade, both nationally and in Minnesota.

The increase in crime has focused attention on the juvenile justice system, which many people have expected to help change the attitudes and behaviors of young offenders before they become "career criminals." In this study, we looked at large residential facilities that serve juveniles who have been found delinquent by a juvenile court. Most of the juveniles placed in these facilities have previously received community services to address delinquent behavior, and many have been in other residential facilities. We asked:

- **What are the characteristics of juveniles placed in residential facilities, and what types of programs do facilities provide?**
- **What percentage of youth commit new offenses after completing programs at Minnesota residential facilities, and how does this compare with the experience of offenders elsewhere?**
- **What impressions do county officials have of Minnesota residential facilities for juvenile offenders?**

This is the first systematic study of juvenile recidivism rates in Minnesota using statewide court and law enforcement data. With the cooperation of the State Court Administrator's office, district courts, Bureau of Criminal Apprehension, Department of Corrections, and individual residential facilities, we analyzed reoffense rates for 1,472 offenders released from selected residential facilities in 1991, as well as 791 offenders released from facilities in 1985. We also surveyed the opinions of county correctional supervisors and county social service directors. More than 90 percent of both groups responded.

MINNESOTA'S SYSTEM OF RESIDENTIAL FACILITIES

The Minnesota Department of Corrections (DOC) operates two facilities—at Red Wing and Sauk Centre—that together have capacity to serve more than 200 offenders who have been committed by juvenile courts to the Commissioner of Corrections. These are the only facilities in Minnesota that must admit all offenders referred to them by any of Minnesota's 87 juvenile courts. The department also operates Thistledeew Camp in northern Minnesota, and it licenses 10 other "juvenile residential facilities" that are run by county or private operators. Together these 13 facilities have a licensed capacity of over 800 juveniles.

In addition, the Department of Human Services (DHS) licenses about 40 residential treatment facilities for children, mostly privately-operated. These facilities have a total capacity of nearly 1,200, and they serve a variety of children who are delinquent, need protective services, or have emotional disorders. The department has proposed rules that are intended to bring these facilities into compliance with the Minnesota comprehensive children's mental health act.¹

Facilities that serve similar types of juveniles are sometimes governed by different state requirements.

In many cases, DHS and DOC facilities serve juveniles with similar characteristics and their programs have similar goals. Nevertheless, there are different state rules that govern DHS and DOC facilities, resulting in inconsistent services to residents and potential confusion for persons making placements. In December 1994, the legislatively-established Task Force on Juvenile Programming, Evaluation, and Planning recommended that the two departments work jointly toward consistent requirements for juvenile residential care by July 1997. We strongly concur, and we recommend that:

- **The Legislature should require the Departments of Corrections and Human Services to develop more consistent general licensing requirements for juvenile residential facilities by mid-1997.**

Many county officials are concerned about the adequacy of the juvenile placement process. For example, most county officials told us in our surveys that they need "much better" information on program effectiveness and the satisfaction of families with facilities. Only 26 percent of social service directors—who typically manage their counties' mental health services—told us that offenders' mental health needs are "always" or "almost always" sufficiently considered prior to placements. Nearly three-fourths of county correctional supervisors said that the presence of waiting lists at preferred facilities "often" or "always" affects their recommendations to juvenile courts regarding placements. County officials said that the population for which they have the most difficulty finding acceptable residential placements are "aggressive, difficult to control offenders."

¹ Minn. Stat. §§245.487-245.4888.

RATES OF JUVENILE REOFFENSE

Rehabilitation is an important goal of juvenile placements.

Our surveys indicated that rehabilitation, or reducing the risk of reoffending, is the preeminent goal of most Minnesota courts when making placement decisions for juvenile offenders. About 65 percent of county correctional supervisors and 63 percent of social service directors said that rehabilitation is the most important goal of placements. For this reason, it is important to consider the reoffense rates of delinquent juveniles.

Over the past 50 years, there have been hundreds of studies to evaluate the impact of programs for delinquent youth in the United States. We found that:

- **Many individual studies have shown that programs for delinquent offenders can reduce recidivism, but the average impact has been small.**

The view that "nothing works"--which prevailed among many people 20 years ago--seems to have given way to a view that some programs can make a difference with some serious juvenile offenders. Unfortunately, the studies have not yet clearly identified which components of programs work best with particular types of offenders.

We looked at the reoffense rates of youth released from seven Minnesota juvenile facilities, including the three operated by the Department of Corrections, two operated by counties (Hennepin County Home School and Ramsey County's Boys To-tem Town), and two that are privately operated (St. Croix Camp in Pine County and Woodland Hills in Duluth). Most of the facilities in our sample rely considerably on group-based approaches to encourage juveniles to change their behavior, but the programs differ in length, content, and the characteristics of the offenders they serve. Among juvenile facilities, the Red Wing and Sauk Centre facilities are often considered the "end of the line" for juveniles who have continued to offend after receiving community services and being placed in other residential facilities.

Juveniles had high rates of reoffense, especially those released from facilities that served more serious and chronic offenders.

Table 1 shows the numbers and types of offenses committed by our sample of residents *prior to their placements*. Offenders released from the Minnesota Correctional Facility (MCF) at Red Wing had more prior offenses and more serious offenses, on average, than juveniles released from the other facilities. It is likely that, without treatment, offenders with lengthier prior records would be more apt to reoffend than other offenders, but we cannot be certain of this.

Table 2 presents our findings on the reoffense rates for juveniles released from selected "long-term" programs in 1991. All of the programs shown exceeded three months in length. We found that:

- **One-half to three-quarters of males were petitioned in juvenile court or arrested for crimes as adults in the two years following their release from juvenile facilities.**

Table 1: Prior Offenses of Juveniles Released in 1991 by Facility

<u>Program</u>	<u>Number</u>	<u>Percent With Felony Delinquency Petition</u>	<u>Percent With Violent Felony Petition</u>	<u>Percent Petitioned for Five or More Felonies</u>	<u>Average Number of Offenses Per Resident</u>
MALE					
MCF-Red Wing	141	97%	48%	48%	12.8
MCF-Sauk Centre	130	92	30	32	10.1
Thistledeew Camp	172	77	21	12	5.6
Hennepin County Home School	149	97	38	20	8.3
Totem Town	109	77	34	10	9.6
St. Croix Camp	140	62	14	4	5.0
Woodland Hills	48	73	10	6	5.7
FEMALE					
MCF-Sauk Centre	11	90	0	9	8.8
Woodland Hills	12	67	17	0	3.6
Hennepin County Home School	29	59	28	3	6.0
St. Croix Camp	116	33	1	0	3.0

Source: Program Evaluation Division analysis of State Judicial Information System data.

Table 2 shows that between 53 and 77 percent of males were petitioned or arrested, between 37 and 62 percent for felonies. Reoffense rates tended to be lower in facilities that served offenders with shorter or less serious prior offense histories, and we found that some of the differences in recidivism rates among facilities diminished when we limited our analysis to offenders who had previously been chronic or violent offenders. We also found that female offenders tended to reoffend at lower rates than male offenders. Minnesota's reoffense rates for the two years immediately following release appear to be within the broad range of rates reported for residential programs in other states.

Many people hope that even if juveniles reoffend in the short term, they will become law-abiding citizens by the time they are adults. In fact, many believe that the threat of sanctions in adult courts will discourage juveniles from continuing their criminal activities into adulthood. For offenders released from five juvenile

Table 2: Two-Year Reoffense Rates for Juveniles Released in 1991, by Facility

<u>Program</u>	<u>Number</u>	<u>Percent With Delinquency Petition or Adult Arrest</u>	<u>Percent Adjudicated Delinquent or Convicted as Adult</u>	<u>Percent With Felony Petition or Arrest</u>	<u>Percent Petitioned or Arrested for Five or More Felonies</u>	<u>Number of Offenses Per Juvenile</u>
MALE						
MCF-Red Wing	141	71%	62%	62%	18%	3.8
MCF-Sauk Centre	130	65	48	53	16	3.7
Thistledeew Camp	172	53	38	37	6	2.3
Hennepin County Home School	149	76	59	62	8	3.2
Totem Town	109	77	61	51	9	3.6
St. Croix Camp	140	76	59	49	4	2.9
Woodland Hills	48	63	48	54	8	2.6
FEMALE						
MCF-Sauk Centre	11	46	27	36	9	1.7
Woodland Hills	12	58	50	33	0	1.0
Hennepin County Home School	29	41	31	31	0	1.4
St. Croix Camp	116	55	41	20	0	1.3

Source: Program Evaluation Division analysis of State Judicial Information System and Bureau of Criminal Apprehension data.

Many juvenile offenders continued their criminal activity into adulthood.

facilities in 1985, we examined criminal records during their first five years of adulthood. We found that:

- **More than 90 percent of residents released from the state's Red Wing and Sauk Centre facilities in 1985 had adult arrest records before age 23, and 69 percent had been sent to prison.**

As shown in Table 3, the rates for juveniles released from Sauk Centre and Red Wing were higher than those at three other Minnesota facilities that we examined, although Sauk Centre and Red Wing have tended to admit juveniles with more prior offenses than have the other facilities.² These findings relate to juveniles released from facilities 10 years ago, and there have been various changes to these programs during that time. However, the extremely high rates of adult offense underscore the importance of continuing to monitor rates for youth served in more recent years. For males age 17 or older released in 1991, we found that 61 percent of Red Wing offenders were arrested for offenses as adults during their first one to two years of adulthood, and three other facilities (Hennepin County Home School, Boys Totem Town, and Sauk Centre) had adult arrest rates of at least 44 percent during this follow-up period.

Table 3: Five-Year Adult Offense Rates for Offenders Released From Juvenile Correctional Facilities in 1985

Program	Number	Percent Arrested	Percent Arrested for Felony	Percent Convicted of Felony	Percent Convicted of Five or More Felonies	Percent Sent to Prison ^a
MALE						
MCF-Red Wing	133	91%	89%	87%	32%	76%
MCF-Sauk Centre	86	91	85	78	23	58
Thistledew Camp	179	60	51	35	8	25
Woodland Hills	44	61	57	48	7	23
St. Croix Camp	152	58	49	38	7	20
FEMALE						
MCF-Sauk Centre	5	80	80	80	0	40
Woodland Hills	19	21	11	5	0	0
St. Croix Camp	154	25	18	6	0	1

Source: Program Evaluation Division analysis of Bureau of Criminal Apprehension data.

^aIncludes those sentenced immediately to prison and those given a stayed prison sentence who later had their probation revoked.

Finally, we examined rates of reoffense among juvenile offenders who had been "certified" as adults and sent to the Minnesota Correctional Facility at St. Cloud. As shown in Table 4, we found that:

- **About 53 percent of certified adult offenders released from their initial prison stays in 1991 returned to prison within two years.**

² Two facilities that we examined in our analysis of juveniles released in 1991 (Hennepin County Home School and Boys Totem Town) were unable to provide us with lists of residents released in 1985.

Table 4: Recidivism Rates for Certified Adults Released From the Minnesota Correctional Facility at St. Cloud in 1985 and 1991

<u>Year of Release</u>	<u>Number</u>	<u>Follow-Up Period</u>	<u>Percent Subsequently Convicted of Felony</u>	<u>Percent Returned to Prison</u>
1985	19	5 Years	89%	84%
1991	34	2 Years	62	53

Source: Program Evaluation Division analysis of Bureau of Criminal Apprehension data.

The factors contributing to delinquency are complex.

These offenders were apparently not sufficiently deterred from criminal behavior by the experience of living in prison and the threat of reincarceration for subsequent offenses.

Although we do not know how many juveniles would have reoffended if they had not participated in a residential program, the high rates of reoffense that we found are disappointing.³ The factors contributing to these high rates are complex and likely include broad societal problems, such as family dissolution, as well as inadequacies in services for offenders. In order to reduce juvenile recidivism, it may be necessary to consider improvements in community-based early intervention services, residential programs, and community services for offenders who have completed residential placements.

We think it is also important to have better information on the outcomes of services to Minnesota's youthful offenders. Regular reporting on rates of juvenile reoffense could help to (1) create incentives for improved performance by service providers, and (2) improve the information available for legislative discussions and decisions. We recommend that:

- **The Department of Corrections should regularly report reoffense rates for offenders committed to the commissioner. The department should also report the reoffense rates of selected other offenders, such as extended jurisdiction juveniles, violent offenders, or offenders released from facilities that the department licenses but does not operate.**

Juvenile reoffense rates should be reported regularly.

Because of concern for juveniles' privacy, much of the data that we examined is not available to the Department of Corrections. In our view, the department should have access to these data for research purposes.

- **The Legislature should, in state law, authorize the Department of Corrections to (1) obtain the names of juvenile offenders served by residential facilities in Minnesota, and (2) have access to juvenile court records for the purpose of preparing reoffense reports. The**

³ The rates likely underestimate the true reoffense rate by excluding persons who offended but were not caught or who committed offenses in other states.

department should be prohibited from publicly disclosing information on individual juveniles.

OTHER OBSERVATIONS ABOUT JUVENILE FACILITIES

At the request of the Legislature, we surveyed county officials to determine their perceptions of residential programs for juvenile offenders. In general, county officials told us that they prefer to use programs that hold juveniles accountable, have committed staff, work effectively with families of offenders, and provide individualized services. Many officials believe there is considerable room for improvement in Minnesota's system of residential facilities. For example 74 percent of social service directors and 44 percent of correctional supervisors told us that residential facilities "sometimes," "rarely," or "never" make sufficient efforts to work with the families of offenders. We found that:

- **The facility most commonly rated by counties among the most effective facilities in Minnesota was the state-operated Thistledew Camp in northern Minnesota.**

This facility has a relatively short program (13 to 15 weeks) and combines wilderness survival activities with school instruction and work assignments. It also tends to serve juveniles whose history of offending is less extensive than some other facilities we examined.

The two facilities that serve Minnesota's most serious and chronic juvenile offenders have lower staffing levels than other facilities.

Counties tended to have less positive ratings of the Sauk Centre and Red Wing facilities. It is possible that county concerns about these facilities partly reflect the fact that they tend to serve more chronic and more serious offenders than other programs. These may be offenders who are less amenable to rehabilitation. However, we also found that these facilities have lower staffing levels and shorter stays than many other facilities for juvenile offenders that we reviewed. For example, Department of Corrections licensing staff estimate that the Red Wing facility would need 12 additional staff and Sauk Centre would need 3 staff to meet the minimum staffing levels required by state rules, which are met by all other DOC-licensed facilities. This could limit the ability of these facilities to try more individualized, intensive, and creative approaches with offenders whose behaviors have not been changed by other programs. Partly because of concerns about the adequacy of programs and security at these facilities, Minnesota's largest counties have placed some of their more difficult offenders at facilities in other states.

Department of Corrections officials questioned whether county officials understand facility programs well enough to rate them accurately. We think that, at a minimum, the concerns expressed to us about Sauk Centre and Red Wing reflect a lack of confidence among some placing counties that should be addressed. We recommend that:

- **The Commissioner of Corrections should develop a plan to address the concerns of counties and courts and, where necessary, identify**

ways to improve facility services and community aftercare services for the state's most difficult offenders.

DISCUSSION

**Minnesota's
strategies for
juvenile
offenders need
to show better
results.**

Our study indicated that there is room for improvement in existing residential programs for juvenile offenders, and there may be a need for better community services for juveniles after they return home. However, improving these services will not prevent juveniles from becoming delinquents in the first place. In 1994, a Minnesota Supreme Court task force said that, "(T)he ultimate solution to juvenile crime lies in the strengthening of families and communities, and the implementation of prevention and early intervention programs."⁴ The task force also recommended another approach--stricter juvenile sanctions--which the 1994 Legislature enacted into law. For example, the Legislature established a category of offenders, known as "extended jurisdiction juveniles," for whom the courts shall impose both a juvenile disposition and a stayed adult criminal sentence. If such an offender violates the conditions of the stayed sentence before age 21, the court may impose the adult sanctions.

All of these options represent legitimate responses to the problem of juvenile crime. Our study, at the request of the Legislature, focused primarily on residential facilities, which represent only one portion of the justice system's response to juvenile crime. A broader analysis would be required in order to determine whether Minnesota has implemented the proper mix of services: preventive and corrective, residential and nonresidential.

We found that Minnesota's residential programs have not stopped most of their residents from committing further offenses, often serious ones. Perhaps it is unrealistic to expect that programs lasting several months can permanently change longstanding attitudes and behavior patterns in juveniles who have not been changed by prior interventions. But there are significant, long-term fiscal consequences if Minnesota's juvenile strategies cannot be made more successful. A task force recently projected that the state would have to spend more than \$30 million to construct 325 additional prison beds over the next decade, assuming that 25 percent of extended jurisdiction juveniles will be sent to prison following a new offense or a violation of parole or probation.⁵ Our findings indicate that a 25 percent reoffense rate would be considerably below current rates of reoffense for serious offenders. If actual reoffense rates are higher, Minnesota may have to consider further expansions of prison space. We think it will be important for policy makers to closely monitor the impact of the extended jurisdiction juvenile legislation, as well as the success of individual programs in changing the behaviors of serious offenders.

⁴ *Report of the Minnesota Supreme Court Advisory Task Force on the Juvenile Justice System* (St. Paul, January 1994), 3.

⁵ *Report of the Task Force on Juvenile Programming, Evaluation, and Planning* (St. Paul, December 1994), 44.

Introduction

The 1994 Legislature requested this study of juvenile facilities.

During recent years, there has been growing concern nationally and in Minnesota about the rise in violent crime. The increase has occurred among both adults and juveniles, and it has led many people to question whether adequate steps have been taken to hold offenders accountable and protect public safety. But the growth of violent crime has also reinvigorated public debate about how society should try to prevent crime from occurring in the first place. This discussion has helped to focus attention on the juvenile justice system, which many people have expected to help change the attitudes of young offenders before they become "career criminals."

The 1994 Minnesota Legislature took several steps to change or evaluate the juvenile justice system. For example, the Legislature authorized stronger sanctions for certain serious offenders (known as "extended jurisdiction juveniles"), approved funding for up to 100 additional beds for juveniles in locked facilities, and required judicial districts to develop guidelines for making juvenile dispositions. In addition, the Legislature requested the Legislative Audit Commission to authorize two studies examining residential programs for delinquent children placed away from their homes by the courts. The Legislature asked that one study focus on four state-run facilities that serve youthful offenders: the facilities at Sauk Centre and Red Wing that accept juveniles committed to the Commissioner of Corrections, the Thistledew Camp at Togo that accepts offenders referred directly by juvenile courts, and the St. Cloud correctional facility, which includes among its adult inmate population more than 100 offenders who were tried and convicted as adults for offenses committed while juveniles. The Legislature also asked that a second study by our office focus on four other large programs that serve delinquent children placed by the courts away from their homes.¹

The Legislature's request to the audit commission suggested that both studies focus on: "(1) recidivism; (2) participation by youthful offenders; (3) subjective effectiveness among probation officials; (4) subjective effectiveness among youthful offenders; and (5) comparison with programming operating effectively in other states." In June 1994, the Legislative Audit Commission authorized the two studies. Due to the similarity of the research issues and methods, we combined these studies into a single, coordinated research project. In our project, we asked:

¹ *Minn. Laws* (1994), Ch. 576, Sec. 63, Subd. 1, 3. The Legislature also requested that the audit commission direct its staff to review and comment on the report of a legislatively created task force on juvenile programming, evaluation, and planning. However, this request was not approved by the commission.

- **What types of offenders are served at various residential facilities, and what are the characteristics of the facilities' programs?**
- **What percentage of youth commit new offenses after completing programs at Minnesota residential facilities, and how does this compare with the experience of offenders elsewhere?**
- **What impressions do county staff have of Minnesota's residential facilities for juvenile offenders?**
- **What are the roles played by the Department of Corrections and the Department of Human Services in overseeing and operating juvenile facilities? Is sufficient information being collected by facilities or state agencies on program effectiveness?**

**Our research
focused on
large
residential
facilities.**

It is important to emphasize that our research focused primarily on large residential facilities, which are typically the component of the juvenile service continuum reserved for more serious or chronic offenders. We did not examine specific non-residential programs, although we did ask county officials and others to identify general categories of services that might help juveniles make the transition from residential facilities back to their homes. We also did not examine smaller residential facilities, such as group homes or foster homes. To help the 1995 Legislature consider the full range of juvenile programs, both residential and non-residential, the 1994 Legislature established a task force to make recommendations on service and funding needs, including those related to implementation of the new laws for "extended jurisdiction juveniles."² That task force issued its final report in December 1994.

The 1994 Legislature requested that we supplement our reviews of state-operated facilities with reviews of "four programs comprising the largest number of court-ordered out-of-home placements" of youthful offenders in Minnesota.³ We consulted with staff in the Department of Corrections (DOC) and Department of Human Services (DHS)—both of which license facilities that have juvenile offenders in their resident populations—to help us identify four facilities that (1) serve populations primarily comprised of delinquent youth, and (2) are among the largest such facilities in the state. We selected two county-operated facilities licensed by the Department of Corrections (the Hennepin County Home School in Minnetonka, with a licensed capacity of 151, and Boys Totem Town in St. Paul, with a licensed capacity of 65), one privately-operated facility licensed by the Department of Human Services until late 1994 but now licensed by the Department of Corrections (Woodland Hills in Duluth, with a licensed capacity of 48), and one privately-operated facility licensed by the Department of Corrections (St. Croix Camp in Pine County, with a licensed capacity of 100). For these four facilities, plus the

² *Minn. Laws* (1994), Ch. 576, Sec. 62. See *Report of the Task Force on Juvenile Programming, Evaluation, and Planning* (St. Paul, December 1994).

³ DHS had information on the number of court-ordered children in facilities, but it did not have information on the number of delinquents in individual facilities. The courts place many children in DHS facilities for reasons other than delinquency, such as for protective services.

four state-run correctional facilities—all of which are shown in the box at the right—we conducted site visits, met with staff and residents, and analyzed reoffense rates of released offenders. For the most part, we focused on the "long-term" residential programs at each of these facilities, although some of the facilities also offer programs where residents remain for less than one or two months. To supplement our research at this sample of eight facilities, we conducted less detailed reviews of six additional facilities. Specifically, we met with top program staff during visits to three facilities, and we interviewed program directors by phone at another three facilities.⁴

We believe that this study is the first in Minnesota to use statewide court records to track reoffense rates for juveniles released from several residential facilities. We obtained names and certain demographic information for juvenile offenders released from the eight facilities during calendar years 1985 and 1991.⁵ In August 1994, the Minnesota Supreme Court issued an order to Minnesota's district courts and the State Court Administrator's Office authorizing disclosure of juvenile court records to the Office of the Legislative Auditor, based on the office's existing statutory authority.⁶ Using the names of the released offenders, we obtained juvenile court identification numbers for youth from (1) the Total Court Information System, maintained by the State Court Administrator's Office, and (2) court records of individual counties, as needed. We then obtained information on juvenile court actions using the State Judicial Information System, which is also maintained by the State Court Administrator's Office. In addition, we searched computerized criminal history records at the state Bureau of Criminal Apprehension to identify instances in which the juveniles in our samples had criminal arrests or convictions as adults. In all, we were able to track 1,472 offenders released from facilities in 1991 and 791 offenders released from facilities in 1985.

Facilities Reviewed in Detail

- Minnesota Correctional Facility at Red Wing
- Minnesota Correctional Facility at Sauk Centre
- Minnesota Correctional Facility at St. Cloud (certified adults only)
- Thistledeew Camp, Togo
- Hennepin County Home School, Minnetonka
- Boys Totem Town, St. Paul
- St. Croix Camp for Boys and Girls, Sandstone
- Woodland Hills, Duluth

The Minnesota Supreme Court gave us access to statewide juvenile court records.

⁴ We visited the St. Cloud Children's Home (licensed by DHS, with a capacity of 103 among several locations), Bar None Residential Treatment Services in Anoka (licensed by DHS, with a capacity of 85), and the Anoka County Juvenile Center in Lino Lakes (licensed by DOC, with a capacity of 25 residential and 25 detention beds). We also spoke with staff from the Archdeacon Gilfillan Center in Bemidji (licensed by DHS, with a capacity of 63), the Austin Youth Ranch (licensed by DHS, with a capacity of 50), and Gerard of Minnesota in Austin (licensed by DHS, with a capacity of 42).

⁵ The Department of Corrections provided us with names of residents released from the facilities at Sauk Centre, Red Wing, and St. Cloud. For the other facilities, we obtained lists of released residents from the facilities themselves. Two facilities—the Hennepin County Home School and Boys Totem Town—were unable to provide lists of residents released in 1985.

⁶ Minnesota Supreme Court, "Order Authorizing Disclosure of Juvenile Court Records to Legislative Auditor's Office" (August 22, 1994), signed by Chief Justice A.M. Keith.

We examined juvenile recidivism and county perceptions of residential programs.

Juvenile recidivism subsequent to a residential placement could be due, in part, to shortcomings in those residential programs. However, it is important to note that recidivism could also reflect inadequacies in community services for juveniles prior to and after their residential placements, and it could reflect delinquent values that are well-established in some youth before they are served by the facilities. Juveniles are usually placed in residential facilities after community efforts to change delinquent behavior have failed, and some juveniles have been through multiple residential placements before and after the ones that we examined. Our study did not attempt to evaluate the impact of individual programs on the reoffense rates of juveniles.

However, the Legislature did request that our studies evaluate subjective measures of program effectiveness, including the views of county probation officials. Probation staff, as well as county social services staff, often help the courts decide where to place juveniles, and they monitor the juveniles' subsequent activities and services. We decided to survey separately the opinions of two groups of officials from Minnesota's 87 counties: (1) county juvenile corrections supervisors, who typically oversee probation staff for their counties, and (2) county social service directors, who typically oversee child welfare, mental health, chemical dependency, and other social services for their counties. Some supervisors and directors are responsible for more than one county, so there were fewer than 87 potential respondents for both of the surveys.⁷ Of the 80 juvenile corrections supervisors surveyed, 77 (or 96 percent) responded. Six of the state's 84 social service directors surveyed told us that their county social services units do not play an active role in placement decisions for juvenile offenders. Of the remaining 78 social service directors surveyed, 72 (or 92 percent) responded. Appendix C contains a summary of our survey results.

We obtained the views of nearly 70 juvenile offenders during our site visits. Generally, these offenders volunteered to speak with us or were selected by facility staff. We talked with some juveniles while receiving tours of facilities, and in other cases we sat down with juveniles individually or in groups. We considered conducting a systematic survey of juveniles at residential facilities, but concerns about the reading and writing difficulties of some juveniles led us to adopt a more informal approach to hearing their views. The residents helped us to understand the content of their current and past residential programs, and their comments also helped us to better understand the nature of the juvenile population that was the subject of this study. However, we have not tried to summarize juveniles' comments in this report because there was much variation in the comments we heard and because our sample was not necessarily representative of residents at the facilities we visited.

In addition, we reviewed research literature related to patterns of juvenile offense, types of programs and approaches, and program effectiveness. We interviewed court officials in several counties, and we interviewed staff in the state Depart-

⁷ In all three cases where one social service director supervises more than one county, we sent only one survey to this director. In the case of county juvenile supervisors who serve more than one county, there were a few cases where, at the recommendation of Department of Corrections staff, one supervisor completed a single survey reflecting the views of more than one county. These were typically cases in which more than one county shared a single probation officer.

ments of Corrections and Human Services. We also looked at selected issues related to how youth are placed in residential facilities.

Our discussion of potential solutions to the problems of juvenile crime and recidivism is limited, in part, because of the inadequacy of existing research literature on "what works" in juvenile corrections. We also did not have time to examine the full spectrum of options for addressing juvenile crime, which range from modest adjustments in residential facility practices to broad changes in social policy.

In Chapter 1, we review Minnesota's juvenile court system, the array of residential facilities that serve offenders, and recent changes in Minnesota juvenile laws. In Chapter 2, we discuss the goals of placements in residential facilities and the rationality of the placement process. In Chapter 3, we review literature on program effectiveness and examine rates of reoffense among offenders released from Minnesota juvenile facilities. In Chapter 4, we discuss county perceptions of Minnesota's residential facilities and examine additional aspects of program effectiveness. Chapter 5 provides a general discussion of our findings and conclusions.

Background

CHAPTER 1

During the early history of the United States, delinquent children were tried by adult courts and often jailed with adult offenders. The first separate prison for juveniles, or "house of refuge," opened in New York City in 1825. During the late 1800s, states established "reformatories" for children, often in rural settings that were far from what some perceived as the corrupting influences of urban life. The reformatories "emphasized the values of sobriety, thrift, industry, prudence, and ambition."¹ Today, states still have a separate system of facilities for treating and incarcerating most juvenile offenders who are placed by the courts away from home.

However, juvenile crime has become the subject of increased public concern, and there is a widespread perception that juveniles are committing more--and more serious--offenses. Legislators in Minnesota and other states have responded with laws that reflect a growing intolerance for serious and chronic delinquency. This chapter examines recent trends in juvenile crime and outlines Minnesota's system for dealing with juvenile offenders. We asked:

- What is the procedure in Minnesota for declaring children to be "delinquent" and placing them in residences away from home?
- To what extent have Minnesota juvenile courts committed juveniles to the care and custody of the Commissioner of Corrections? What other residential placement options are available to the courts?
- What recent changes has the Legislature made to Minnesota's juvenile justice laws?

ROLE OF THE JUVENILE COURTS

Illinois established the first statewide juvenile court in 1899, and nearly all states had such courts by 1925. In 1905, the Minnesota Legislature passed a law requiring the state's larger counties to establish juvenile courts.² The juvenile courts in Minnesota and other states operated under the doctrine of *parens patriae* (mean-

¹ Albert R. Roberts, *Juvenile Justice: Policies, Programs, and Services* (Chicago: Dorsey Press, 1989), 26.

² *Minn. Laws* (1905), Ch. 285, Sec. 3.

ing the parent of the country or state). Under this doctrine, the government assumed responsibility for the well-being of certain children, and the courts focused on children's needs for treatment and rehabilitation, not on their guilt or innocence.

Minnesota's juvenile courts have jurisdiction over cases involving children alleged or found to be "delinquent" prior to their eighteenth birthdays. An offender may remain under the jurisdiction of the juvenile court until age 19 if the court determines that this is in the person's best interest.³ In addition, as we discuss later in this chapter, a new law allows the juvenile courts to extend their jurisdiction over certain offenders—known as "extended jurisdiction juveniles"—until age 21. State law defines a delinquent child as one who has:

- violated any state or local law, other than those related to traffic offenses,
- violated laws of the federal government or other states that would represent delinquent acts if committed in Minnesota or crimes if committed by an adult, or
- escaped from state or local juvenile correctional facilities following commitments by the courts.⁴

"Status offenses," or acts that would not be offenses if committed by an adult, are not considered to be delinquent acts. Status offenses include truancy, running away, curfew violations, and possession of alcohol. In addition, possession of small amounts of marijuana is not considered a delinquent act.

Minnesota has 10 judicial districts, as shown in Figure 1.1, and the district courts have original jurisdiction in all civil and criminal actions within the district boundaries.⁵ The chief judge of the district must designate at least one judge in each county to hear juvenile matters and may also appoint referees to do so. In addition to having jurisdiction over cases involving children who are alleged to be delinquent, Minnesota's juvenile courts also have jurisdiction over cases involving children in need of protection or services (commonly called "CHIPS"), neglected children, children in foster care, domestic child abuse, adoptions, and termination of parental rights to a child.⁶

Process for Adjudication and Placement

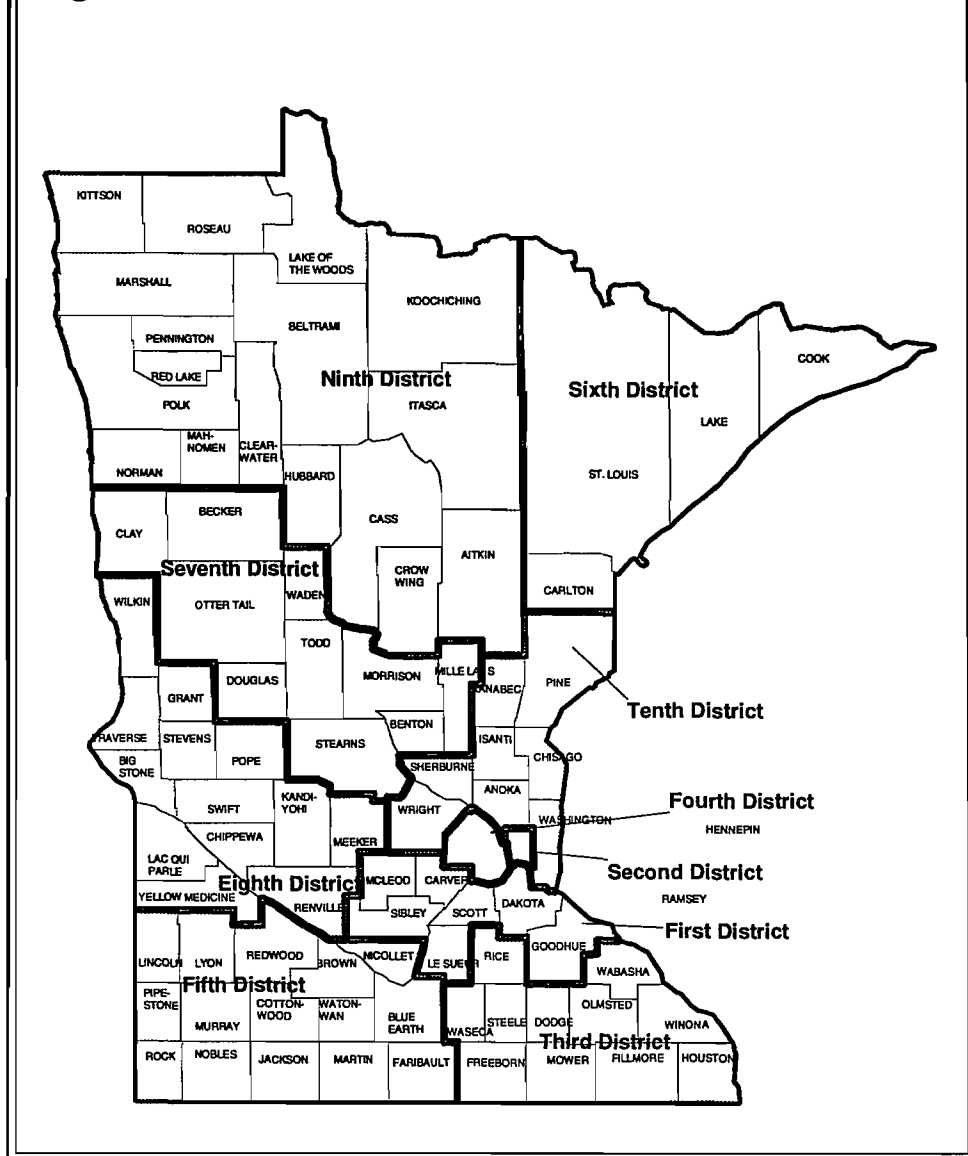
Because juvenile courts were designed to serve different purposes than adult courts, they have employed somewhat different procedures and terminology. Figure 1.2 presents an overview of the judicial process for dealing with juveniles alleged to have committed delinquent offenses. Usually this process begins when police take into custody juveniles who are believed to have violated state laws

³ *Minn. Stat.* §260.181, Subd. 4.

⁴ *Minn. Stat.* §260.015, Subd. 5.

⁵ *Minn. Stat.* §484.01. Each of the judicial districts has combined its county, municipal, and district courts into a single trial court.

⁶ *Minn. Stat.* §§260.019-260.111; §487.14; §484.01.

Figure 1.1: Minnesota Judicial Districts

The court's involvement with a juvenile begins with a petition.

or local ordinances. According to Minnesota law, "(t)he taking of a child into custody . . . shall not be considered an arrest."⁷

The court's involvement with a juvenile begins when "(a)ny reputable person, including but not limited to any agent of the commissioner of human services" files a **petition** with the court.⁸ Petitions alleging delinquent acts are typically filed by law enforcement agencies. From the time a child is taken into custody for a delinquent act, the court must hold a hearing within 36 hours, excluding weekends and holidays, to determine whether the child should remain in custody, or "detention." Children must be released to the custody of parents, guardians, custodians, or others "(u)nless there is reason to believe that the child would endanger self or others,

⁷ Minn. Stat. §260.165, Subd. 2.

⁸ Minn. Stat. §260.131, Subd. 1.

Figure 1.2: Procedure for Adjudicating a Juvenile as "Delinquent"

not return for a court hearing, run away from the child's parent, guardian, or custodian or otherwise not remain in the care or control of the person to whose lawful custody the child is released. . ."⁹ If children are kept in detention beyond the initial hearing, the court must review the need for continued detention at least every eight days.

Adjudication as a delinquent is not a criminal conviction.

Children who are the subjects of petitions, as well as their parents, guardians, or custodians, have a right to participate in all proceedings on the petition, and they also have the right to counsel. State law allows juvenile court **hearings** to be conducted "in an informal manner."¹⁰ After considering the facts of the case, the court decides whether the child shall be **adjudicated as a delinquent**. Under Minnesota law, an adjudication by a juvenile court shall not be considered a conviction of a crime, nor shall a delinquent child be considered a criminal.¹¹ However, when a juvenile court finds that there is probable cause that a juvenile age 14 or older has committed an offense that would be a felony if committed by an adult, this court may seek to have the juvenile tried as an adult in district court under criminal laws.¹²

If a child is found by a juvenile court to be delinquent, the court must issue a written order for the **disposition** of the case. The disposition shall include any of the options shown in Figure 1.3 that "are deemed necessary to the rehabilitation of the child. . ."¹³ When children are found delinquent due to offenses that would be considered felonies for adults, the court is required to make a finding on the juvenile's mental health and chemical dependency treatment needs.¹⁴ For sex offenders who are found by court-ordered assessments to be in need of and amenable to sex offender treatment, the court must require such treatment. Delinquent juveniles may be placed by the courts in settings outside of their own homes, but it is the court's duty "to ensure that reasonable efforts are made to reunite the child

⁹ Minn. Stat. §260.172, Subd. 1.

¹⁰ Minn. Stat. §260.155, Subd. 1.

¹¹ Minn. Stat. §260.211, Subd. 1.

¹² Minn. Stat. §260.125. It is presumed by law that a juvenile will be certified to district court if (1) the child was 16 or 17 at the time of the offense, and (2) the alleged offense would result in a presumptive prison commitment under sentencing guidelines or laws, or the child committed any felony offense while using a firearm. If this presumption does not apply, a juvenile may still be certified if the prosecuting authority demonstrates to the court that proceeding in juvenile court does not serve public safety.

¹³ Minn. Stat. §260.185, Subd. 1. The disposition order shall include written findings of fact, a discussion of why the ordered disposition is in the best interests of the child, and a discussion of alternative dispositions that were considered.

¹⁴ Minn. Stat. §260.185, Subd. 1.

Juvenile courts have various options for children found to be delinquent.

Figure 1.3: Disposition Options for Delinquent Children

- Counsel the child or the parents, guardian, or custodian;
- Place the child under the supervision of a probation officer or other suitable person in the child's own home or in a group foster care facility supervised by the Department of Corrections;
- Subject to the court's supervision, transfer legal custody of the child to (1) a child placing agency, (2) the local social services agency, (3) a reputable person, (4) a county home school, or (5) a county probation officer for placement in a group foster home supervised by the Department of Corrections;
- Transfer legal custody by commitment to the Commissioner of Corrections;
- Order the child to make reasonable restitution for damages;
- Require the child to pay a fine of up to \$700;
- Order the child to receive special treatment and care for reasons of physical and mental health;
- Cancel the child's driver's license.

Source: *Minn. Stat.* §260.185, Subd. 1.

with the child's family at the earliest possible time, consistent with the best interests of the child and the safety of the public."¹⁵

Juvenile courts often receive assistance from county corrections staff, human services staff, and others when making placement decisions. For example, the courts may request county welfare boards or probation officers to investigate juveniles' personal and family history.¹⁶ State law authorizes, but does not require, county welfare boards to establish "screening teams" to provide the courts with recommendations on whether to place juveniles in residential treatment facilities for emotional disturbances, chemical dependency, or developmental disabilities.¹⁷

During the past 30 years, the U.S. Supreme Court has expanded the constitutional rights of juveniles suspected of delinquency.¹⁸ For example, the Court has granted juveniles the rights to notice of charges, to counsel, and to cross-examine witnesses.¹⁹ The Court has ruled that proof of delinquency must be shown "beyond a reasonable doubt," in contrast to more lenient civil standards of proof that

¹⁵ *Minn. Stat.* §260.012.

¹⁶ *Minn. Stat.* §260.151.

¹⁷ *Minn. Stat.* §260.151, Subd. 3.

¹⁸ Useful summaries of the impact of recent Supreme Court decisions are contained in Barry Feld, "The Juvenile Court Meets the Principle of Offense: Punishment, Treatment, and the Difference it Makes," *Boston University Law Review*, v. 68 (1988), 821-915, and William E. Thornton, Jr., and Lydia Voigt, *Delinquency and Justice*, 3rd ed. (New York: McGraw-Hill, 1992), 369-80.

¹⁹ *In re Gault*, 387 U.S. 1 (1967).

had been applied previously.²⁰ These decisions have caused juvenile courts to more closely resemble adult criminal courts.

In Minnesota, all juvenile court proceedings are closed to the public except for hearings involving children accused of committing felony-level offenses when they were 16 or older. The records of juvenile court proceedings may be released to the juvenile and his or her parents or guardian, and school principals receive disposition orders for certain delinquent children. The records are generally inaccessible to others without a court order.²¹

JUVENILE CRIME TRENDS

Arrest data are the best source of information on juvenile crime rates.

As noted in the previous section, juveniles who are taken into custody by police are not considered "arrested," according to Minnesota law. Nevertheless, the term "arrest" is widely used to describe the apprehension of adult and juvenile offenders. In order to have a single term in this report for describing adults or juveniles apprehended by law enforcement officials, we will use the term "arrest."

It is worth noting that information on arrests reflects only a portion of all crimes committed. Many crimes are not reported to law enforcement authorities.²² In addition, only a portion of reported crimes result in arrests.²³ Still, arrest data represent the most comprehensive information available about juvenile crime rates.

In Minnesota, the Department of Public Safety collects information from local police and county sheriff departments on reported crimes and arrests. Figure 1.4 shows the number of juvenile arrests for crimes in Minnesota between 1974 and 1993.²⁴ The figure shows that:

- The number of juvenile arrests declined during the early 1980s but has increased since 1983.

Nationally, crime reports and arrest data are compiled by the Federal Bureau of Investigation (FBI). The FBI divides crimes into two major categories, "serious"

²⁰ *In re Winship*, 397 U.S. 358 (1970).

²¹ *Minn. Stat.* §260.155, §250.161.

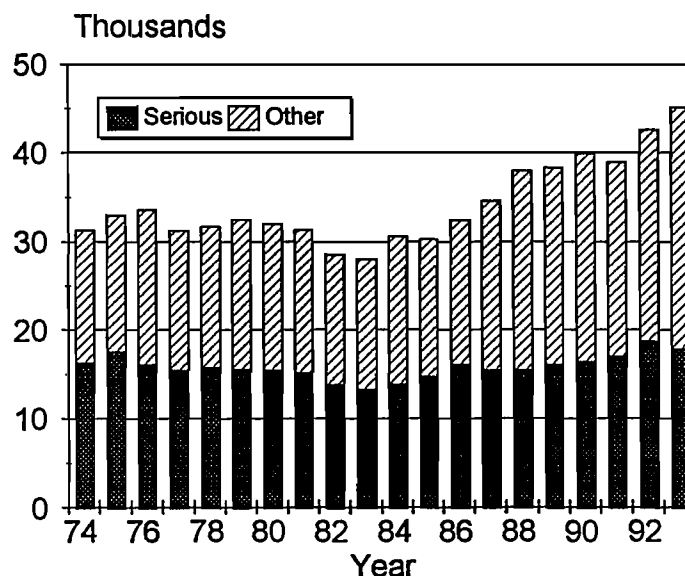
²² A national victimization survey indicated that 50 percent of violent crimes (rape, robbery, and assault), 41 percent of household crimes (burglary, household larceny, and motor vehicle theft), and 30 percent of personal thefts were reported to the police. See U.S. Department of Justice, Bureau of Justice Statistics, *Criminal Victimization in the United States, 1992* (Rockville, MD, 1994), 100-102. The survey also found that victims ages 12 to 19 were less likely to report crimes to the police than older victims.

²³ In 1993, 42 percent of all crimes and 23 percent of serious crimes (murder, rape, robbery, aggravated assault, burglary, larceny, auto theft, and arson) reported to Minnesota law enforcement agencies resulted in an arrest. Minnesota Department of Public Safety, *Minnesota Crime Information, 1993* (St. Paul, 1994), 49.

²⁴ These rates are based on arrest incidents regardless of how many crimes are charged. For example, if a juvenile is arrested and charged with ten burglaries, it counts as one arrest. But if the same juvenile is arrested for a new crime later that year, it counts as another arrest. Finally, if two or more juveniles are arrested for the same incident, each juvenile is counted as a separate arrest.

Juvenile arrests have increased in the past decade.

Figure 1.4: Juvenile Arrests in Minnesota, 1974-93



Note: "Juvenile" includes ages 10-17; "serious" refers to "Part I" offenses.

Source: Minnesota Department of Public Safety, *Minnesota Crime Information* (St. Paul, 1974-93).

and "other." Serious crimes--sometimes called "index" or "Part I" crimes--are murder, rape, aggravated assault, robbery, burglary, larceny, auto theft, and arson. Other crimes--sometimes called "Part II" crimes--include all other felonies and misdemeanors except traffic offenses.²⁵ Figure 1.4 shows that the number of serious and other juvenile arrests in Minnesota were mostly stable in the late 1970s and declined in the early 1980s. However, total juvenile arrests increased from a low of 27,972 in 1983 to 45,126 in 1993, a 61 percent increase. Annual arrests for serious juvenile crimes increased 34 percent during that period, from 13,420 to 18,001.

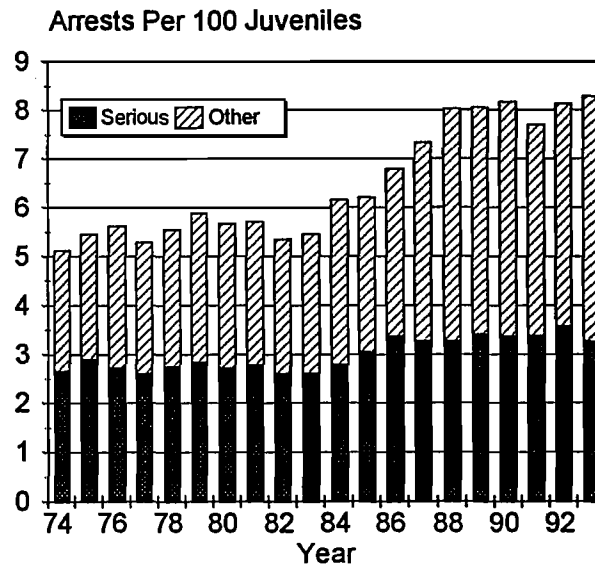
Because changes in the number of juvenile arrests may partly reflect changes in the size of the juvenile population, we also looked at the number of juvenile arrests per 100 juveniles. Figure 1.5 shows that this rate has also increased since the early 1980s. Between 1983 and 1993, total juvenile arrests increased from 5.5 to 8.3 per 100 juveniles, a 51 percent increase. Juvenile arrests for serious crimes increased during that period from 2.6 to 3.3 per 100 juveniles, a 27 percent increase. This suggests that:

- **Minnesota's increase in juvenile arrests over the last decade was not caused simply by increases in the juvenile population.**

Minnesota's increase in juvenile arrests during most of this period was consistent with national arrest trends. Figure 1.6 shows that, for the nation as a whole, arrests per 100 juveniles for **serious violent** crimes increased 63 percent between 1983 and 1993. Minnesota's arrest rate for serious violent crimes has increased at

²⁵ Driving under the influence of alcohol is included in the "other" category.

Figure 1.5: Rate of Juvenile Arrests in Minnesota, 1974-93

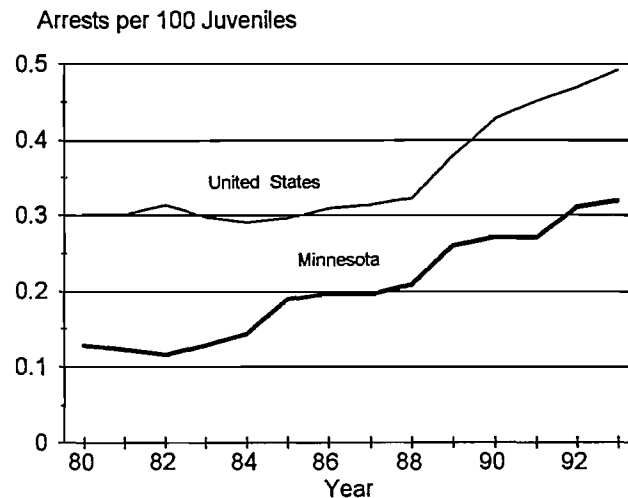


Note: "Juvenile" includes ages 10-17; "serious" refers to "Part I" offenses.

Source: Minnesota Department of Public Safety, *Minnesota Crime Information* (St. Paul, 1974-93).

Minnesota's rate of arrests for serious violent offenses is below the nation's.

Figure 1.6: Rates of Juvenile Arrest for Serious Violent Crimes, 1980-93



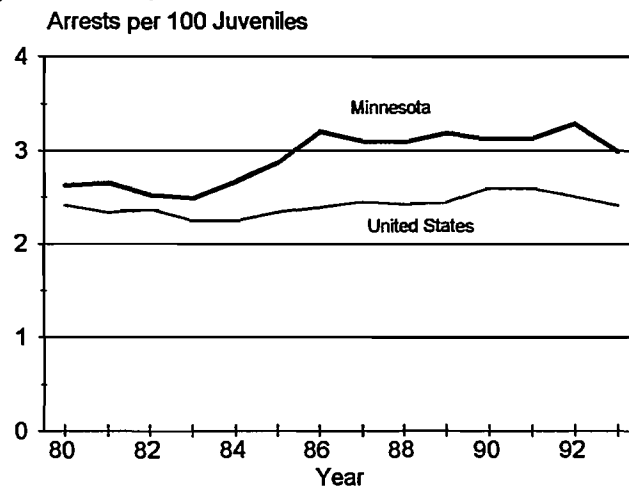
Note: "Juvenile" includes ages 10-17; "serious violent" refers to murder, rape, aggravated assault, and robbery.

Source: U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States* (Washington, D.C., 1980-93) and Minnesota Department of Public Safety, *Minnesota Crime Information* (St. Paul, 1980-93).

a faster rate (149 percent), but it remained below the national rate during this entire period. In contrast, as shown in Figure 1.7, Minnesota's rate of juvenile arrests for serious property crimes has been steady in recent years but somewhat above the national average. Differences between Minnesota's arrest rates and those of other states could reflect differences in the incidence of juvenile crime, but they might also reflect differences in record keeping or law enforcement practices.

Minnesota's rate of arrests for serious property offenses is above the nation's.

Figure 1.7: Rates of Juvenile Arrest for Serious Property Crimes, 1980-93



Note: "Juvenile" includes ages 10-17; "serious property" refers to burglary, larceny, auto theft, and arson.

Source: U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States* (Washington, D.C., 1980-93) and Minnesota Department of Public Safety, *Minnesota Crime Information* (St. Paul, 1980-93).

As shown in Figure 1.8, juveniles make up a much higher proportion of all those arrested for serious crimes in Minnesota than for the nation as a whole. In 1993, for example, juveniles accounted for 44 percent of the serious crime arrests in Minnesota but only 29 percent of the serious crime arrests nationwide.²⁶

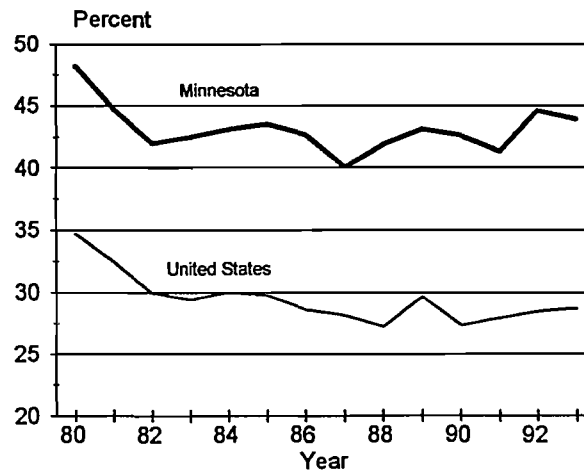
Table 1.1 shows the number of Minnesota juveniles ages 10 to 17 arrested for various types of crimes in 1993. There were 8.3 total arrests per 100 juveniles, but because some juveniles were arrested more than once, fewer than 8.3 percent of Minnesota's juveniles were arrested during 1993.²⁷ Table 1.1 shows that about half of the 1993 arrests were for property crimes and only 13.4 percent were for violent crimes. The remainder of the arrests were for a variety of other offenses, including 16 percent for drug and alcohol use.

²⁶ Juveniles may be less sophisticated criminals than adults and may be more likely to be caught or confess when questioned. If this is the case, the reported percent of crimes committed by juveniles may be overstated.

²⁷ See footnote 24 above for a discussion of how arrests were counted.

**Juveniles
account for a
high
proportion of
Minnesota's
arrests for
serious offenses.**

**Figure 1.8: Juvenile Arrests for Serious Offenses
as a Percent of All Arrests for Serious Offenses,
1980-93**



Note: "Juvenile" includes ages 10-17; "serious" refers to "Part I" offenses.

Source: U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States* (Washington, D.C., 1980-93) and Minnesota Department of Public Safety, *Minnesota Crime Information* (St. Paul, 1980-93).

Table 1.1: Types of Juvenile Offenses, 1993^a

Offense	Number of Arrests	Rate per 100 Juveniles ^b	Percent of Total Offenses
VIOLENT CRIMES			
Murder	33	0.01	0.1%
Criminal Sexual Conduct	514	0.09	1.1
Robbery	434	0.08	1.0
Assault	5,045	0.93	11.2
Total	6,026	1.11	13.4%
PROPERTY CRIMES			
Burglary	2,055	0.38	4.6%
Theft, Receiving Stolen Property	12,992	2.38	28.8
Motor Vehicle Theft	2,130	0.39	4.7
Vandalism, Arson	4,149	0.76	9.2
Forgery, Fraud, Counterfeiting	1,461	0.27	3.2
Total	22,787	4.18	50.5%
OTHER CRIMES			
Disorderly Conduct	3,402	0.62	7.5%
Drugs, Alcohol, DUI	7,218	1.32	16.0
Weapons	1,137	0.21	2.5
Other ^c	4,556	0.84	10.1
Total	16,313	2.99	36.1%
TOTAL	45,126	8.28	100.0%

Source: Department of Public Safety, Minnesota Crime Information, 1993.

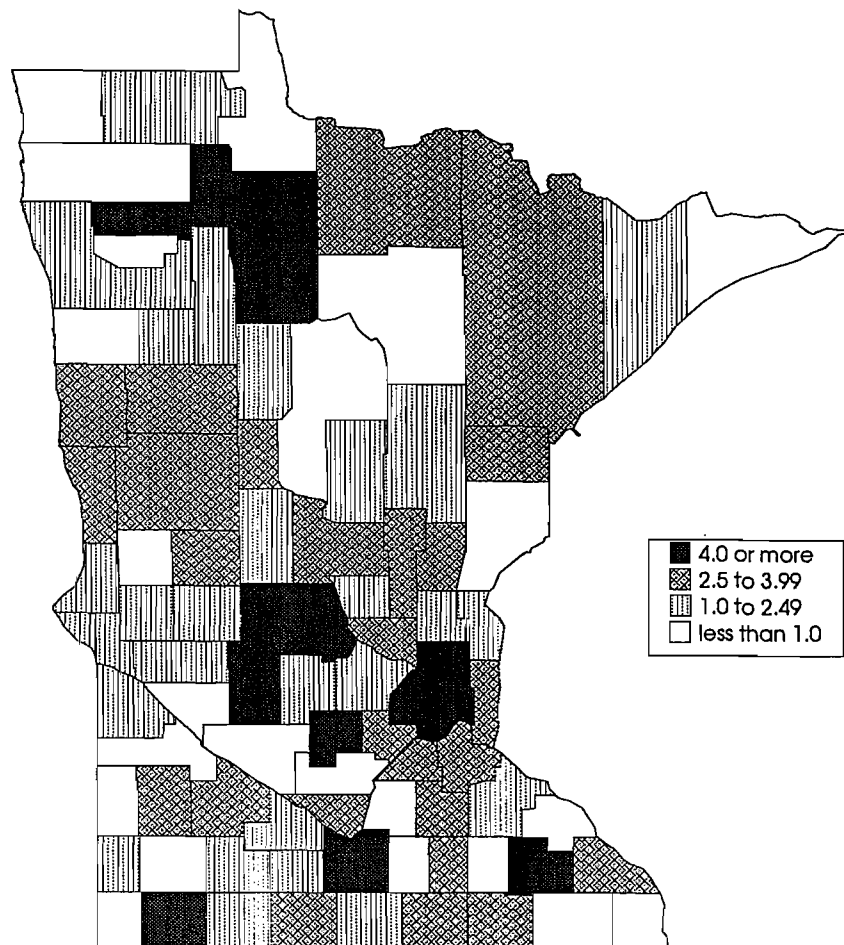
^aIncludes both serious and other offenses.

^bBased on 544,918 juveniles in Minnesota, United States Census, State Populations by Age, 1993.

^cProstitution, gambling, child neglect, vagrancy, and other (excluding traffic) offenses.

Figure 1.9 shows county juvenile arrest rates for serious crime in 1993. While large counties tended to have high juvenile crime rates, so did some less populous counties. Pennington County had the highest rate of juvenile arrests (6.5 per 100 juveniles), followed by Ramsey (5.9), Kandiyohi (5.9), and Beltrami (5.6) counties. Hennepin and Ramsey counties, which have about 29 percent of Minnesota's population ages 10 to 17, accounted for 40 percent of the juvenile arrests in 1993. Seventy percent of the state's juvenile arrests were in eight counties, which represent 56 percent of the population (Hennepin, Ramsey, Anoka, Dakota, Olmsted, St. Louis, Stearns, and Washington). Appendix A presents information on 1993 juvenile arrests for serious offenses in each Minnesota county.

Figure 1.9: 1993 Juvenile Arrest Rates for Serious Offenses in Minnesota Counties



Note: Arrest rates are arrests per 100 juveniles ages 10 to 17.

Source: Program Evaluation Division analysis of Department of Public Safety data.

Population projections by the state demographer's office suggest that the number of juveniles ages 10 to 17 in Minnesota will increase by 2.9 percent between 1995 and 2000. However, the portion of this group most likely to commit delinquent offenses—juveniles ages 15 to 17—is projected to grow by 11.7 percent during this period.

RESIDENTIAL FACILITIES FOR JUVENILE OFFENDERS

Most juvenile offenders are never placed in residential facilities.

In our study, we focused on facilities that serve adjudicated juvenile offenders away from their homes. On the continuum of court disposition options, residential facilities are usually reserved for juveniles who have committed more serious offenses or have a longer history of offending. Most juvenile offenders are never placed by the courts in residential facilities.

The facilities operated by the Department of Corrections at Red Wing and Sauk Centre are the only juvenile facilities in Minnesota that have residents whose legal custody has been transferred by commitment to the Commissioner of Corrections. More often than not, these facilities serve juveniles who have been through programs at other residential facilities yet have continued to offend. However, the courts have a variety of additional options for placing juveniles in residences away from their homes, including facilities licensed by the Department of Corrections and others licensed by the Department of Human Services. Although both departments license foster homes for small groups of juveniles, our study focused primarily on facilities serving more than 10 residents.

For the most part, state rules for residential institutions govern the conditions of confinement or residence for juveniles, such as requirements for living space, food handling, staffing, admission procedures, and discipline. As we discuss in Chapter 2, the rules governing program content are vague.

Facilities for Juveniles Committed to the Commissioner of Corrections

The 1866 Minnesota Legislature authorized the creation of a "house of refuge" for young offenders due to concerns that juveniles were being placed with adult criminals in the state prison and local jails. As a result, the Minnesota State Reform School opened in St. Paul in 1868. The facility moved to Red Wing in 1891. In 1911, the girls at the Red Wing facility were moved to a new facility in Sauk Centre. The Sauk Centre facility did not serve boys until 1967.

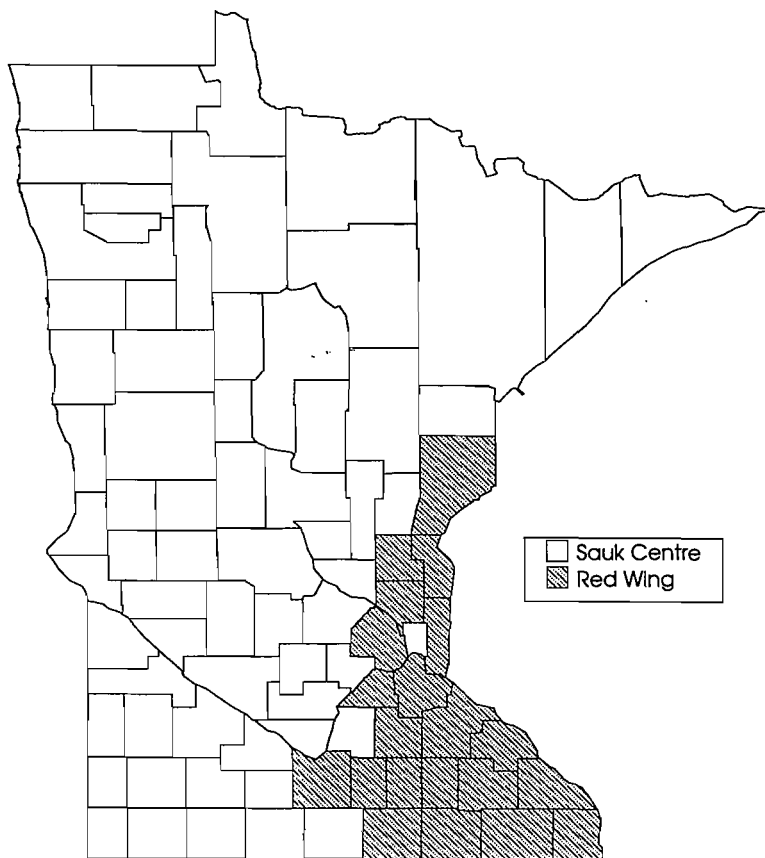
Today, the state still operates residential facilities at Red Wing and Sauk Centre for juveniles who have been committed by the courts to the Commissioner of Corrections. Statutes and rules provide no guidelines to the juvenile courts on the types of offenders who may be committed to the commissioner. The commis-

sioner is required by law to "clothe, maintain, and instruct" committed juveniles and "keep them in custody until placed on probation, paroled, or discharged."²⁸

The Department of Corrections generally assigns male offenders to Red Wing or Sauk Centre based on the geographic boundaries shown in Figure 1.10. Female offenders from throughout Minnesota who have been committed to the Commissioner of Corrections are typically assigned to the Sauk Centre facility, although the Department of Corrections has occasionally contracted with other facilities to serve this population. As shown by Figure 1.11, the number of female offenders at Sauk Centre was often very low during recent years, which has jeopardized the viability of the treatment program. In fact, until Sauk Centre opened a separate cottage for females in March 1994, female offenders lived in the facility's one locked cottage, where they had less supervision and freedom of movement than comparable male offenders. Since March 1993, the Sauk Centre facility has also operated a specialized program for male juvenile sex offenders who have been through other programs or have been refused admission to them. Mandated by the

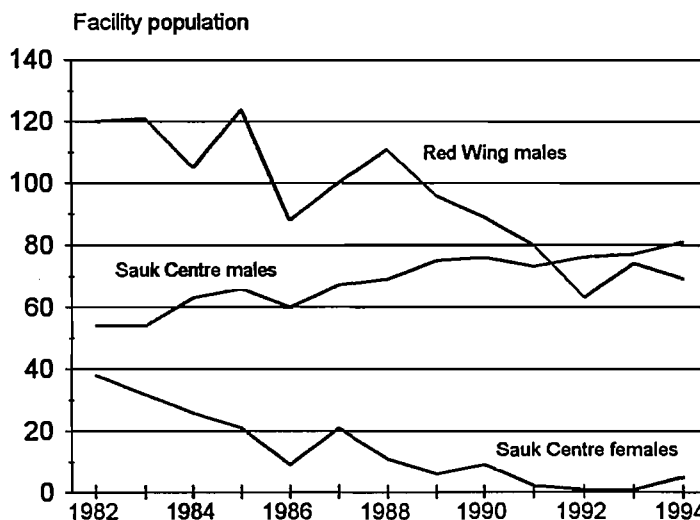
State-run facilities at Sauk Centre and Red Wing serve juveniles committed to the Commissioner of Corrections.

Figure 1.10: Facilities Serving Male Offenders Committed By Juvenile Courts in Various Counties



²⁸ *Minn. Stat.* §242.43. In addition, §*Minn. Stat.* 241.01, Subd. 3a(a) requires the commissioner to accept persons committed "for care, custody, and rehabilitation."

Figure 1.11: Facility Populations on January 1, 1982-94



Source: Minnesota Department of Corrections.

1992 Legislature, this program can serve up to 20 sex offenders committed to the commissioner from throughout the state.²⁹

Within five weeks of a juvenile's commitment, staff from the assigned facility meet with the juvenile to develop individual treatment goals. The juvenile's parents and probation officer are also requested to attend. Within seven weeks of commitment, the juvenile meets with a Department of Corrections hearing officer, who reviews the treatment plan and establishes a range of dates for possible release from the facility. The release review dates are based primarily on (1) the severity of the offense for which the juvenile was committed to the commissioner, and (2) the number of adjudicated felony-level delinquencies and probation or parole violations prior to the commitment offense. The department adopted this approach to setting projected release dates in 1980 to help ensure that residents would be treated more consistently.

Figure 1.12 shows how the Department of Corrections decides on an offender's length of stay. The grid indicates the projected "minimum" and "extended" lengths of stay for an offender, depending on the severity of the committing offense and the number of prior delinquencies.³⁰ As of September 1994, about half

²⁹ *Minn. Laws* (1992), Ch. 571, Art. 8, Sec. 5. If, at a given time, more than 20 sex offenders committed to the commissioner meet these criteria, the Sauk Centre and Red Wing facilities serve these offenders in their other programs.

³⁰ By documenting "mitigating" or "aggravating" factors, the hearing officer can make adjustments of up to three months in the review dates indicated by the department's length-of-stay guidelines. Over a recent 40-month period, the department reduced Red Wing juveniles' projected stays from the grid guidelines in 11.4 percent of cases, and increased projected stays in 7.5 percent of cases. At Sauk Centre, the department reduced projected stays in 2.2 percent of cases and increased projected stays in 5.7 percent of cases. The vast majority of deviations from the grid guidelines were for only one month.

When juveniles are sent to Red Wing or Sauk Centre, their projected lengths of stay are based on the number and severity of prior offenses.

Figure 1.12: Minnesota Department of Corrections Guidelines on Projected Length of Stay for Offenders Committed to the Commissioner

	Number of "Delinquent History Factors"			
	0	1	2	3
Severity Level I	3-4 months	3-5 months	4-6 months	5-7 months
Severity Level II	3-6 months	4-7 months	5-8 months	6-9 months
Severity Level III	6-10 months	7-11 months	8-12 months	9-13 months

Note: The months shown are the dates for residents to have "minimum" and "extended" reviews before a hearing officer.

Source: Minnesota Department of Corrections Policy and Procedures Manual, Section 5-200.

of the residents of both the Red Wing and Sauk Centre facilities were committed for offenses in the least serious category (Severity Level I), which has projected stays in the three to seven month range. Sauk Centre had about nine percent of its residents committed for offenses in the most serious category (Severity Level III), while Red Wing had about six percent. More than 70 percent of the residents of both facilities had "delinquent history factors" of 0 or 1, generally meaning that they had been adjudicated for two or fewer felony-level offenses prior to being committed. It would be useful to evaluate how the severity and chronicity of offenders at these facilities has changed over time, but the Department of Corrections has no historical information on the average grid ratings of committed offenders.

The department's juvenile hearing officer reviews each resident's progress at the minimum review date to consider whether parole should be granted at that time. According to Department of Corrections policies, juveniles may be released to parole when (1) the treatment agreement has been completed, (2) a parole plan has been developed, (3) the hearing officer determines, based on behavior at the institution, that the juvenile does not pose a threat to the community, and (4) there are no pending charges against the juvenile that would justify continued commitment.³¹ If the hearing officer does not release the juvenile at the minimum release date, another hearing will be held when the four criteria are met or at the extended review date. The Commissioner of Corrections has the option to keep residents beyond their extended date, if this is judged to be appropriate.³² Table 1.2 shows, for a recent two-year period, how the actual release dates of Sauk Centre and Red Wing residents compared to their targeted grid dates for release. Department staff

³¹ Minnesota Department of Corrections, Office of Juvenile Release Policy 5-204.2 (June 1985).

³² The longest recent residence at a state facility that officials could recall was a juvenile who lived at the Red Wing facility for about five years, until his nineteenth birthday.

Table 1.2: Comparison of Actual Release Dates to Projected Release Dates for Residents of the State Facilities at Sauk Centre and Red Wing

	Percent of Committed Residents Released:					Total
	Before Their "Minimum" Release Date	At Their "Minimum" Release Date	Past Their "Minimum" Date but Before Their "Extended" Date	At Their "Extended" Date	Past Their "Extended" Date	
Red Wing	5.8%	42.5%	41.1%	2.7%	7.9%	100%
Sauk Centre	10.9	38.9	31.1	4.3	14.9 ^a	100

Source: Program Evaluation Division analysis of data provided by Minnesota Correctional Facility-Red Wing (January 1992-December 1993) and Minnesota Correctional Facility-Sauk Centre (July 1992-June 1994).

^aDepartment of Corrections staff told us that the higher percentage of Sauk Centre residents released past their extended dates reflects difficulty finding appropriate placements for sex offenders.

Most offenders at Red Wing and Sauk Centre are released to parole for 6 to 12 months.

told us that residents released before their minimum release dates have usually gone directly to other residential programs to address specific needs.

The Department of Corrections' internal policies allow dates of release to be accelerated when facility populations are at high levels. The Red Wing and Sauk Centre facilities are Minnesota's only facilities required by state law to accept all juvenile offenders referred to them.³³ When commitments to the state facilities rose during 1994, the department instituted early release procedures for the first time in recent years. Department staff told us that they gave first priority to releasing juveniles who were within one month of their minimum review date and had completed their treatment goals.³⁴

When juveniles are released from Red Wing and Sauk Centre, they remain under commitment to the commissioner until (1) the commissioner "discharges" them from the commitment, (2) they reach their nineteenth birthday prior to being discharged, or (3) they are 18 years old and sentenced as adults. Aside from residents who turn age 19 and those transferred to the adult court system, nearly all juveniles released from Red Wing and Sauk Centre are released to parole, typically for 6 to 12 months. Parole is intended to protect the community through active supervision (and sanctions, if necessary) and by helping the offender to obtain needed community services. The Department of Corrections juvenile hearing officer may require juveniles who violate conditions of their parole to return to the Red Wing and Sauk Centre facilities.

³³ *Minn. Stat.* §242.19 states that, once the commissioner orders a juvenile's confinement to Red Wing and Sauk Centre, these facilities "shall accept the child."

³⁴ This was contrary to the department's stated policy of giving first priority for release to juveniles who were at or beyond their "extended" date of release (Minnesota Department of Corrections, Office of Juvenile Release Policy 5-204.2). The department's hearing officer told us that the approach now being followed meets the needs of offenders and ensures public safety better than the formal policy. The department is now revising its policy to reflect current practice.

**The
Department of
Corrections
licenses 13
juvenile
residential
facilities.**

Other Juvenile Facilities Licensed by the Department of Corrections

As of February 1995, there were a total of 13 facilities licensed and regulated by the Department of Corrections as "juvenile residential facilities."³⁵ These facilities are required to have at least one direct service staff per 12 residents during waking hours. Residents of these facilities must have individualized program plans, which must be reviewed at least monthly, and facilities must work with each resident to plan for any needed programs after their release. State rules require these facilities to provide "a comprehensive and continuous" education program for residents. Each facility must also have "a social services program, such as individual and group counseling, community services, and family services," as well as "a written plan for the constructive scheduling of resident time."³⁶

Three of the juvenile residential facilities licensed by the Department of Corrections are also operated by the department. In addition to the the Red Wing and Sauk Centre facilities discussed already, the Department of Corrections operates the Thistledew Camp in Itasca County for adjudicated juveniles. Unlike residents at Red Wing and Sauk Centre, Thistledew's residents have not been committed by the courts to the Commissioner of Corrections.

Of the remaining 10 juvenile residential facilities licensed by the Department of Corrections, six are privately operated and four are operated by individual counties or groups of counties. As shown in Table 1.3, the 13 facilities have a total capacity of 820 non-secure beds, plus they have 59 secure beds that can be used for residents who are discipline problems. In addition, there are about 70 residential beds that can be used for adjudicated youth in five facilities that are licensed by the Department of Corrections as "secure juvenile detention facilities."

The Department of Corrections also licenses group foster homes that serve eight or fewer delinquent youth. Currently, there are about 350 beds in department-licensed foster homes operated by public and private organizations.

Facilities for Certified Adult Offenders

In some circumstances, juveniles can be "tried as adults" by criminal courts. When a child age 14 or older is alleged to have committed an offense that would be considered a felony if committed by an adult, the juvenile court may enter an order "certifying" the proceeding to the district court for action under adult criminal laws and sentencing guidelines.

Historically, juvenile courts have rarely certified young offenders. In 1992, only 101 of the 25,747 juvenile delinquency petitions filed in Minnesota were referred

³⁵ *Minn. Rules* Ch. 2935.

³⁶ *Minn. Rules* Ch. 2935.2000, 2935.3800.

Table 1.3: Juvenile Residential Facilities Licensed by Minnesota Department of Corrections

Facilities licensed by the Department of Corrections are run by state, county, or private operators.	Licensed Capacity	Operator
		(S = State-operated C = County-operated P = Privately-operated)
Anoka County Juvenile Shelter Care, Lino Lakes	25	C
Boys Totem Town, St. Paul	65	C
Hennepin County Home School, Minnetonka	151 ^a	C
Mille Lacs Academy, Onamia	94	P
Minnesota Correctional Facility-Sauk Centre	107 ^a	S
Minnesota Correctional Facility-Red Wing	103 ^a	S
Northwest Minnesota Juvenile Training Center, Bemidji	24	C
PORT of Crow Wing, Brainerd	24	P
St. Croix Boys Camp, Sandstone	50	P
St. Croix Girls Camp, Sandstone	50	P
Thistledeew Camp, Togo	65	S
Valley Lake Boys Home, Breckenridge	14	P
Woodland Hills, Duluth	48	P
TOTAL	820	

Source: Minnesota Department of Corrections.

^aDoes not include secure beds that are used primarily for residents who are discipline problems or for detention purposes.

to the criminal courts for prosecution.³⁷ Of the 98 juveniles sentenced in adult courts in 1992, 86 were incarcerated, usually in local jails.³⁸ Figure 1.13 shows that the number of certified adults in state-operated correctional facilities more than doubled between 1988 and 1994.

Among Minnesota's adult correctional facilities, St. Cloud has the most certified adults (95 in September 1994), but offenders may be sent to other state-operated facilities, depending on their security needs.³⁹ St. Cloud's certified adults in late 1994 ranged in age from 16 to 30, and nearly one-third had been convicted of murder or manslaughter. Certified adults are not segregated from adult inmates at state facilities, and their education, treatment, and work assignments are similar to those of other inmates.

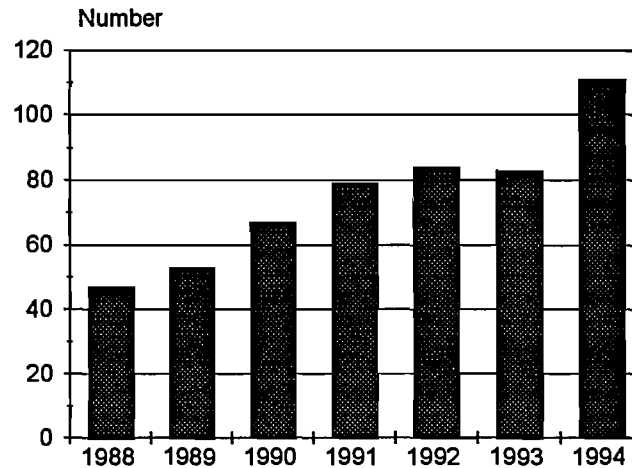
³⁷ *Report of the Supreme Court Advisory Task Force on the Juvenile Justice System* (January 1994), 22.

³⁸ Minnesota Department of Corrections, *Background: Juveniles Certified As Adults* (St. Paul, April 29, 1994).

³⁹ According to Department of Corrections, *Background: Juveniles Certified as Adults*, 67 percent of the certified adults at state facilities in July 1993 were at St. Cloud. Another 19 percent were at less secure facilities at Lino Lakes and Faribault, and 8 percent were at the state's maximum security facility at Oak Park Heights.

At state facilities, the number of juvenile offenders who were certified as adults has doubled since 1988.

Figure 1.13: Number of Juvenile Offenders Certified as Adults in Minnesota Department of Corrections Facilities, 1988-94



Source: Minnesota Department of Corrections.

Note: 1988-93 populations are for July 1 of these years. The 1994 population reflects the department's January 1, 1995 census.

Facilities Licensed by the Department of Human Services

During 1992, about 18,000 children received out-of-home care in residences licensed by the Minnesota Department of Human Services (DHS).⁴⁰ Half of these children lived in family foster homes and one-fourth lived in emergency shelters. Residential treatment facilities and group homes accounted for about 20 percent of the children. Of all children who entered DHS-licensed residences in 1990, 18 percent did so following adjudication for delinquency.⁴¹

Large residential treatment facilities licensed by DHS, which are commonly called "Rule 5" facilities, are defined in Minnesota rules as facilities that provide care and treatment to more than 10 emotionally or socially handicapped children under age 18 on a 24-hour-a-day basis. There are about 40 such facilities in Minnesota, with a total of nearly 1,200 beds. DHS-licensed "group homes," which are commonly called "Rule 8" facilities, are residences that provide treatment and care to 10 or fewer children on a 24-hour-a-day basis. There are about 55 such facilities in Minnesota, with a total of about 500 beds.⁴²

⁴⁰ Minnesota Department of Human Services, *Children in Out-of-Home Placement: A 1992 Report* (St. Paul, undated), 8-9. This number is an unduplicated count of the number of children in out-of-home care.

⁴¹ *Children in Out-of-Home Placement: A 1992 Report*, 12. Hennepin County did not report reasons that most of its children entered care in 1991 and 1992, so 1990 was the most recent year with relatively complete statewide data.

⁴² The department also licenses family foster homes, which provide 24-hour a day care for up to 10 unrelated children.

**Facilities
licensed by the
Department of
Human
Services serve
children with a
variety of needs.**

Residential treatment facilities and group homes licensed by DHS serve children with a variety of needs. About 69 percent of the children admitted to Rule 5 facilities in fiscal year 1993 were placed there by the courts. Generally, these were children in need of protective services and children adjudicated for delinquency or status offenses. Many other children are placed in these facilities by county human services agencies, without court orders. According to a survey of facilities conducted by the Department of Human Services, about 79 percent of children admitted to Rule 5 facilities in fiscal year 1994 had an official diagnosis of an emotional disturbance at the time of admission. The department has proposed revisions to state rules that would require all children in these facilities to have such diagnoses.

Many of the Rule 5 facilities licensed by DHS are members of a coalition of child caring agencies that annually reports data on its facilities' residents. According to this coalition, residents released from these facilities in 1993 had the following characteristics:

- About 71 percent were male and 72 percent were white;
- About 45 percent came from single parent households, and 33 percent came from families receiving Aid to Families with Dependent Children;
- Prior to admission, about 74 percent were known or suspected victims of physical or emotional abuse, physical or emotional neglect, or sexual abuse; and
- About 23 percent had been adjudicated or convicted of a felony at some time, and 36 percent had been adjudicated for a status offense.⁴³

State rules require Rule 5 facilities to provide treatment programs "based on meeting the particular needs of each child . . . as far as practical and possible," and the time spent in the facility "shall be as brief as possible in accordance with the child's specific needs."⁴⁴ For children ages 12 to 16, Rule 5 facilities must have at least one staff per eight residents. Residents must receive educational instruction from the school district in which the facility is located, and the facility must make available the services of social workers, psychologists, psychiatrists, physicians, and recreation staff.

FUNDING FOR JUVENILE OFFENDERS

While juvenile adjudication and disposition decisions are made by juvenile courts, the costs of providing services to juvenile offenders are shared primarily by counties and the state. The state's primary funding responsibilities for ongoing serv-

⁴³ 1994 Annual Report: Minnesota Council of Child Caring Agencies, Inc. (St. Paul: Wilder Research Center, October 1994), 16, 17, 21, 25, 28. Percentages are for facilities categorized in the report as "residential treatment centers."

⁴⁴ Minn. Rules 9545.0950, Subp. 4 and Minn. Rules 9545.1020.

**Thirty-one
counties receive
state grants
through the
Community
Corrections Act.**

ices are (1) providing block grants for community correctional services, (2) paying for portions of county probation costs, (3) funding the operation of facilities for offenders committed to the Commissioner of Corrections, and (4) funding portions of out-of-home placement costs through state human services block grants.

Community Corrections Services

In 1973, Minnesota enacted the Community Corrections Act (CCA) "[f]or the purpose of more effectively protecting society and to promote efficiency and economy in the delivery of correctional services. . ."⁴⁵ The act was, in part, an attempt to address rising state costs for correctional institutions by encouraging development of more local services for juveniles and adults.

Under the act, individual counties (or groups of counties) are eligible for state grants if they (1) establish corrections advisory boards, (2) prepare comprehensive plans for correctional services, with the approval of the Commissioner of Corrections, and (3) agree to administer and control correctional services, typically through county boards or joint powers boards. Presently, 31 counties representing 70 percent of Minnesota's population participate in CCA. These counties are identified in Appendix A. In calendar year 1993, participating counties received \$24.1 million in state aid, and they contributed \$88.3 million in county dollars toward these services.⁴⁶

Probation Services

All counties must provide or purchase probation services for their juvenile offenders.⁴⁷ Probation officers help the courts by collecting background information on alleged or adjudicated offenders. In many cases, the court asks probation officers to monitor and report on the activities of offenders. Minnesota counties provide probation services for juveniles in one of three ways:

- The 31 counties who participate in CCA provide their own probation services, funded by state CCA grants and county dollars. The probation officers are county employees.
- In 34 non-CCA counties, county probation officers provide juvenile probation services. They are supervised by district court judges but paid by the counties. The state reimburses counties for up to 50 percent of the salaries of these probation officers, depending on the amount of state appropriations.⁴⁸

⁴⁵ *Minn. Laws* (1973), Ch. 354, Sec. 1.

⁴⁶ State subsidies increased 59 percent between 1983 and 1993, unadjusted for inflation. County contributions increased 112 percent during this period.

⁴⁷ Probation officers who are county employees are also responsible for adults convicted of misdemeanors and gross misdemeanors. Probation officers who are state employees may also be responsible for adult felons.

⁴⁸ *Minn. Stat.* §260.311.

A task force recently concluded that Minnesota needs more probation officers.

- Twenty-two counties contract with the state Department of Corrections to provide probation services and supervise the activities of probation officers. The state reimburses counties for up to 50 percent of probation officer salaries, depending on the amount of state appropriations, and the state also pays for some administrative costs.

As of December 31, 1993, there were 14,822 juveniles on probation in Minnesota, an increase of 30 percent over the previous year.⁴⁹ There is no reliable statewide information on the average caseloads or total number of full-time-equivalent probation officers who work solely on juvenile matters. However, the 1993 Legislature created a task force to recommend the total number of adult and juvenile probation officers needed statewide to meet reasonable caseloads.⁵⁰ As of December 1993, a total of about 800 probation officers in Minnesota handled adult and juvenile cases. The task force determined that this total would have to rise to 1,368 probation officers in order to meet "primary" correctional supervision needs statewide. For juvenile offenders, the task force estimated that appropriate caseloads range from 15 for probation officers handling only extended jurisdiction juveniles to 60 for officers handling only juveniles who have committed drunk driving offenses.⁵¹ The 1994 Legislature appropriated \$1.0 million for additional probation officers for offenders under age 21, but this was vetoed by the Governor.⁵²

Facility Per Diems

In most cases in which courts place juvenile offenders in residences other than their own homes, the children's home counties are responsible for "per diem" payments to cover the facilities' costs. State law requires county welfare funds to cover the costs of care, examination, or treatment whenever (1) legal custody is transferred to a county welfare board or to a person under the welfare board's supervision, or (2) there are no provisions in law for payment of these services.⁵³ Per diem rates for the private and county-operated residential facilities in Minnesota generally range from about \$80 to \$200, depending partly on the levels of staffing and security.⁵⁴ Table 1.4 shows recent county expenditures from all human services funding sources for placements of children—both delinquent and non-

⁴⁹ Minnesota Department of Corrections, *1993 Probation Survey* (St. Paul, April 26, 1994), B-16. The department provided us with information on the number of juvenile probationers from previous years.

⁵⁰ *Minn. Laws* (1993), Ch. 326, Art. 10, Sec. 16.

⁵¹ Probation Standards Task Force, *Probation in Minnesota: Putting the Pieces Together* (St. Paul, December 1994), 39-41. The task force recommended that juvenile status offenders not be included among persons requiring "primary" supervision by probation officers.

⁵² *Minn. Laws* (1994), Ch. 576, Sec. 67, Subd. 2.

⁵³ *Minn. Stat.* §260.251, Subd. 1(a).

⁵⁴ Under Title IV, part E of the federal Social Security Act, counties can often receive federal reimbursement for more than 90 percent of per diems for children placed in private facilities whose parents are eligible to receive Aid to Families with Dependent Children. Department of Corrections staff believe that restricting reimbursements to instances in which children are placed in private facilities may result in placement decisions that are based more on costs than on the needs of children.

Table 1.4: County Social Service Expenditures for Selected Types of Out-of-Home Placements (Calendar Years 1991-93)

	1991		1992		1993	
	Expenditures (in millions)	Expenditures Per Day of Placement	Expenditures (in millions)	Expenditures Per Day of Placement	Expenditures (in millions)	Expenditures Per Day of Placement
Correctional facilities ^a	\$8.9	NA	\$9.8	\$78	\$11.0	\$87
Rule 5 residential facilities	23.8	NA	25.8	114	30.8	127
Rule 8 group homes	9.0	NA	12.2	79	14.2	89
Child foster care	56.8	NA	58.0	26	61.7	24

NA = Not Available.

Note: Reflects all county payments, regardless of funding source.

Source: Minnesota Department of Human Services, Service Activity and Funding Reports, 1991-93.

^aFacilities "licensed or certified" as correctional facilities, presumably by the Minnesota Department of Corrections or its counterparts in other states.

The state pays for most costs at the Red Wing and Sauk Centre facilities, while the Thistledeew Camp receives little direct state funding.

delinquent—in selected out-of-home settings. These expenditures do not include most education costs, which are usually paid by children's home school districts.

Whether a juvenile's home county pays for placement at the state correctional facilities at Red Wing and Sauk Centre depends on whether that county participates in the Community Corrections Act. When a court places an adjudicated juvenile from a CCA county in one of these facilities, the home county pays a per diem (presently \$112 per day), which goes to the state's general fund. This per diem represents about 75 percent of the facility's total daily cost per resident—including educational costs—and the state pays the remainder.⁵⁵ When the courts place juveniles from non-CCA counties in the Red Wing and Sauk Centre facilities, the state pays 100 percent of the cost.⁵⁶ In fiscal year 1994, the Red Wing facility spent \$7.1 million from the state general fund, and per diem payments made by CCA counties returned \$1.9 million to the general fund. The Sauk Centre facility had \$5.0 million in general fund expenditures, and county per diem payments returned \$1.1 million to the general fund.

One state facility, Thistledeew Camp, receives virtually no state funding and operates almost entirely with revenues from county and school district per diem payments.⁵⁷ In 1993, the Department of Corrections proposed to make another state facility (Sauk Centre) self-supporting. The 1993 Legislature required the department to charge counties for the full cost of services at this facility, starting in July 1994. However, the Legislature did not reduce funding to the facility to reflect this change, and it asked a task force to consider whether per diem fees should be

⁵⁵ Actual total cost per day per juvenile for Sauk Centre in December 1994 was about \$143. The cost per day for the Red Wing facility was about \$116, but this included some residential services for adults, which are less expensive than services for juveniles.

⁵⁶ The rates charged to CCA counties for placements at Red Wing and Sauk Centre have been adjusted annually to reflect the percentage increase in the state's CCA subsidies.

⁵⁷ In 1994, Thistledeew's general fund expenditures totalled \$15,000, and its expenditures of "special revenues," or per diem payments from counties and school districts, totalled just over \$2 million.

charged to counties.⁵⁸ The task force recommended against a change in Sauk Centre's per diems, and the 1994 Legislature repealed its earlier requirement to make Sauk Centre self-supporting.⁵⁹

RECENT LEGISLATIVE ACTIONS

At the direction of the 1992 Legislature, a Supreme Court task force studied the juvenile justice system.

The 1992 Legislature required the Minnesota Supreme Court to establish a task force to study the state's juvenile justice system.⁶⁰ The task force was asked to study the juvenile certification process, the use of juvenile records in adult court proceedings, the feasibility of a system of statewide juvenile guidelines, the effectiveness of juvenile justice approaches such as behavior modification, and the extension to juveniles of rights to counsel and jury trials. After one year of study, the task force concluded that:

The juvenile justice system is not the solution to the increase in the seriousness of juvenile crime. The Task Force has been studying procedural and policy changes that, if enacted, will strengthen the juvenile justice system's ability to respond to juvenile crime, but the ultimate solution to juvenile crime lies in the strengthening of families and communities, and the implementation of prevention and early intervention programs.⁶¹

The task force found that the juvenile justice system's response to serious and repeat juvenile offenders was inadequate. The task force recommended criteria for identifying serious juvenile offenders who would face certification proceedings, except in cases where the offenders could demonstrate convincing reasons to keep their cases in juvenile courts. This is known as "presumptive certification." The task force also recommended that the adjudications of serious and repeat juvenile offenders be treated in a manner more similar to adult convictions. These offenders would be given "one last chance at success in the juvenile system, with the threat of adult sanctions as an incentive not to reoffend."⁶² The task force recommended adding small, physically-secure residential settings to Minnesota's continuum of juvenile placement options.

The 1994 Legislature considered these and other task force recommendations, and many were implemented into law.⁶³ Perhaps most noteworthy was the establishment of a category of offenders, known as "extended jurisdiction juveniles," for whom the court shall impose both a juvenile disposition and a stayed adult criminal sentence. Effective January 1, 1995, if a juvenile prosecuted under this

⁵⁸ Minn. Laws (1993), Ch. 146, Art. 2, Sec. 4, 15, 18.

⁵⁹ Minnesota Department of Corrections, *Short-term Offender/Fee-for-Service Group: 1994 Report to the Legislature* (St. Paul, December 23, 1993); Minn. Laws (1994), Ch. 636, Art. 6, Sec. 5, 23.

⁶⁰ Minn. Laws (1992), Ch. 571, Art. 7, Sec. 13.

⁶¹ *Report of the Minnesota Supreme Court Advisory Task Force on the Juvenile Justice System* (St. Paul, January 1994).

⁶² *Report of the Supreme Court Advisory Task Force*, 7.

⁶³ Minn. Laws (1994), Ch. 576; Minn. Laws (1994), Ch. 643, Sec. 7.

**The 1994
Legislature
passed laws
pertaining to
"extended
jurisdiction
juveniles."**

law subsequently appears to violate the conditions of the stayed sentence or is alleged to have committed a new offense, the court may revoke the stayed sentence and have the offender taken into custody. If, following a hearing on the matter, the court finds that there is reason to revoke the stayed sentence, it may order execution of the adult sanctions. The juvenile court maintains jurisdiction over extended jurisdiction juveniles until they reach age 21, unless the court terminates its jurisdiction or the sentence expires before that time.⁶⁴ For purposes of adult sentencing under state guidelines, a conviction as an extended jurisdiction juvenile will be treated in the same manner as an adult felony conviction. Offenders prosecuted as extended jurisdiction juveniles have the right to jury trials.

In addition, the 1994 Legislature:

- Required the Commissioner of Corrections to license several small regional facilities, with up to 100 new "long-term" beds, to provide secure capacity programming for juveniles who have (1) been adjudicated delinquent or convicted as extended jurisdiction juveniles and (2) require secure placement. The commissioner must develop rules for the programs at these facilities, which must include general education, instruction in anger management and nonviolent conflict resolution, chemical dependency treatment, mental health screening, assessment, and treatment, and instruction related to sexual abuse. The Legislature also authorized the commissioner to make construction grants totalling \$20 million for juvenile detention and treatment facilities, and it authorized construction of a new secure confinement building at the Red Wing juvenile facility.
- Established a presumption of certification to district court for 16- and 17-year-old offenders who commit (1) offenses that would result in a presumptive prison commitment under sentencing guidelines, or (2) felony-level offenses while using a firearm.
- Set forth general criteria for juvenile courts to use when determining whether public safety would be served by certifying a child to district court.
- Prohibited courts from placing juvenile offenders in residential or detention facilities outside of Minnesota unless the Department of Corrections has certified that the facility meets the standards required of Minnesota programs.
- Required each county attorney to establish a pretrial diversion program for juvenile offenders by July 1995, as an alternative to adjudication. The programs are intended to reduce the workload of the juvenile courts and to minimize recidivism among diverted offenders, in part, by encouraging the collection of restitution for crime victims.

⁶⁴ The district court, not the juvenile court, has jurisdiction in cases involving adults alleged to have committed offenses before their eighteenth birthdays but against whom criminal complaints were not filed before their twenty-first birthdays.

- Required juvenile courts to appoint counsel (or stand-by counsel if the child waives the right to counsel) for children charged with gross misdemeanors or felony offenses and children for whom out-of-home placements are being considered.
- Required the chief judge in each judicial district to publish criteria by January 1996 for determining juvenile delinquency dispositions.
- Established a task force on juvenile programming, evaluation, and planning, which was required to report to the Legislature by November 30, 1994. The task force was required to conduct a survey of existing residential and non-residential programs, and to make recommendations on service and funding needs, programs that should not be funded by the state, suggestions for evaluating juvenile programs, financial responsibility for juveniles placed out of their homes, and changes in rule or statute needed to implement the extended jurisdiction juvenile law.
- Required the Commissioner of Jobs and Training to fund a pilot program of early intervention initiatives for juvenile offenders, including peer tutoring and specialized services for female offenders and offenders who have been suspended from school.
- Requested the Legislative Audit Commission to authorize evaluations of state correctional facilities and other residential facilities serving juvenile offenders.
- Appropriated \$245,000 to the Supreme Court for initial analysis and design work for a juvenile criminal history system.

Several appropriations approved by the 1994 Legislature were vetoed by the Governor. These included \$1 million for additional state and county probation officers for offenders under age 21, and \$2.65 million for the state board of public defense to pay for counsel to juveniles.

A task force concluded that the state will need new prison space to serve extended jurisdiction juveniles.

In December 1994, the Task Force on Juvenile Programming, Evaluation, and Planning--created by the 1994 Legislature--issued its final report.⁶⁵ The report suggested that, within 10 years, 325 beds will be needed in adult prisons to serve extended jurisdiction juveniles who violate their conditions of probation or parole, or commit new offenses. This estimate was based on the assumption that 25 percent of the extended jurisdiction juveniles will require commitments to adult prisons before age 21, an assumption that the task force called "conservative."⁶⁶ The task force estimated that construction costs for a new facility to serve the increased population would be \$100,000 per bed, and operating costs would begin at \$90 a day.

⁶⁵ *Report of the Task Force on Juvenile Programming, Evaluation, and Planning* (St. Paul, December 1994).

⁶⁶ *Report of the Task Force on Juvenile Programming*, 44.

The task force offered recommendations on juvenile services and funding.

Among the task force's other recommendations were the following:

- The Commissioners of Corrections and Human Services should establish a committee to develop consistent general licensing requirements for juvenile residential care by July 1997, including program standards and a process for auditing program performance;
- The Legislature should require that counties split with the state the cost of serving extended jurisdiction juveniles under age 18, and the state should pay for the full cost of extended jurisdiction juveniles who are older than 18. Counties should pay the full cost for extended jurisdiction juveniles committed to the Commissioner of Corrections. Counties seeking state reimbursement for half of the cost of services to extended jurisdiction juveniles should be required to submit annual plans indicating how they would provide intensive community services to this group of offenders;
- The Legislature should fund prevention and early intervention programs at levels equal to if not greater than the amounts spent for incarceration;
- A study on the effectiveness of the extended jurisdiction juvenile law should be completed by January 1997;
- The Legislature should mandate that all children placed in residential facilities should attend school and life skills competency development courses while at the facilities. The Department of Education should amend its rules to require year-round education at residential facilities; and
- The Legislature should allocate \$150,000 for planning and implementation of gender-specific programs for female juvenile offenders.

Due to time constraints, the task force only addressed funding needs for extended jurisdiction juveniles. It did not offer recommendations on funding needs for services to other adjudicated juveniles, as required by the 1994 Legislature.⁶⁷

⁶⁷ *Minn. Laws* (1994), Ch. 576, Sec. 62, Subd. 3, stated that "The task force shall make recommendations concerning: (1) a full continuum of programming to fulfill the service needs. . . for extended jurisdiction juveniles and adjudicated juveniles and the cost of providing those services; . . ."

Placement Issues

CHAPTER 2

Our study focused primarily on the effectiveness of services to juvenile offenders placed by the courts in residences away from their homes. However, in order to evaluate effectiveness, we think it is important to first consider the ultimate goals that the courts hope to achieve through these placements. It is also important to consider whether the placement process is a rational one, directing juvenile offenders to the facilities most appropriate to their needs. We asked:

- **What are the courts' most important goals when making juvenile placement decisions?**
- **Are there differences between the juvenile facilities licensed by the Department of Corrections and those licensed by the Department of Human Services?**
- **Do county staff have enough information on which to make placement recommendations to the juvenile courts?**
- **Do counties have any difficulty finding appropriate facilities for juvenile offenders?**
- **Do facilities for the most chronic and serious juvenile offenders have programs with higher staffing levels or longer stays than other facilities?**

As described in the Introduction, we surveyed juvenile corrections supervisors and social service directors in Minnesota counties.¹ Some of their responses to our surveys provided the basis for findings in this chapter. In addition, we interviewed staff in eight residential facilities licensed by the Department of Corrections and six facilities licensed by the Department of Human Services. We also interviewed department staff and reviewed state rules governing residential facilities.

We found that, according to a large majority of county officials, rehabilitation is the most important goal of juvenile courts when making placement decisions. This underscores the importance of tracking rates of recidivism among juvenile of-

¹ We received responses from 77 corrections supervisors (96 percent) and 72 social services directors (92 percent, excluding those who said they do not work with placements of juvenile offenders).

fenders. In addition, we think there are some aspects of the residential service system that could result in (1) confusion on the part of persons making juvenile placements, or (2) inconsistent or inappropriate services. We suggest that the Departments of Corrections and Human Services coordinate their residential facility rules and collect better information to help juvenile courts make proper placements.

GOALS OF JUVENILE PLACEMENTS

In cases involving children alleged or adjudicated to be delinquent, the overall purpose of state law is:

to promote the public safety and reduce juvenile delinquency by maintaining the integrity of the substantive law prohibiting certain behavior and by developing individual responsibility for lawful behavior. This purpose should be pursued through means that are fair and just, that recognize the unique characteristics and needs of children, and that give children access to opportunities for personal and social growth.²

The juvenile justice system serves multiple goals.

Some observers have interpreted this purpose statement, adopted in 1980, to be less benevolent and more punitive than the previous purpose statement for the juvenile courts.³ However, the laws pertaining to juveniles still contain some important references to the goals of rehabilitation and serving the juveniles' best interests. For example, juvenile courts are required to dispose of cases in ways that "are deemed necessary to the rehabilitation of the child."⁴ Juveniles may be committed to the Commissioner of Corrections "for care, custody, and rehabilitation," and the commissioner may not discharge children from commitments until "satisfied that the child has been rehabilitated"⁵

In 1994, the Minnesota Supreme Court Advisory Task Force on the Juvenile Justice System advocated a juvenile justice system that balances three primary responsibilities: (1) maintaining public safety, (2) holding offenders accountable for their actions, and (3) improving the ability of juveniles to live more productively and responsibly in the community. Based on public testimony, the task force declared that: "Minnesotans wish to retain rehabilitation as one of the goals of the juvenile justice system and, therefore, there is value in retaining a separate system of response to crime committed by juveniles."⁶

² *Minn. Stat.* §260.011, Subd. 2 (c). This is the "purpose statement" of the state juvenile code.

³ The Minnesota Court of Appeals, *In re D.F.B.*, 430 N.W.2d 478 (Minn. App. 1988), said that: "Prior to 1980, legislative concentration had been directed toward rehabilitating all errant youths, not to punishing them. . . . Subsequent to the 1980 amendment, . . . a more punitive approach is emphasized. . . ."

⁴ *Minn. Stat.* §260.185, Subd. 1. Court disposition orders must state why "the best interests of the child are served" by the disposition.

⁵ *Minn. Stat.* §241.01, Subd. 3a; §242.19.

⁶ *Report of the Minnesota Supreme Court Advisory Task Force on the Juvenile Justice System* (St. Paul, January 1994), 3.

**Rehabilitation
of juvenile
offenders
remains an
important goal.**

In our surveys of county corrections supervisors and social service directors, we asked these officials to identify which goals are typically most important in their juvenile courts' placement decisions. We found that:

- **Rehabilitation is the preeminent goal of most counties' courts when making placement decisions for juvenile offenders, in the opinion of county officials who participate in the placement process.**

About 65 percent of **correctional supervisors** said that rehabilitation, or reducing the risk of reoffending, was the most important goal of their juvenile courts; 27 percent identified public safety as the most important goal, and 5 percent said that punishment or holding offenders accountable was the most important goal. Among **social service directors**, 63 percent identified rehabilitation as the most important goal, while 17 percent identified public safety and 17 percent identified punishment or accountability as their most important goals. In our view, the importance that local officials attach to rehabilitative goals indicates that it is appropriate and necessary to evaluate juvenile services, in part, by examining the rates at which juvenile delinquents commit subsequent offenses.

POTENTIAL OBSTACLES TO PROPER JUVENILE PLACEMENTS

Juvenile courts have many options once they determine that a juvenile offender should be placed away from home. There are numerous residential facilities in Minnesota—public and private, large and small, licensed by two different state agencies, and using various programmatic approaches. It is up to each of Minnesota's 87 juvenile courts, with help from their county staff, to select the most appropriate placements. This section examines placement issues that (1) are a source of concern to some county officials, or (2) could result in services to juveniles that are inappropriate, ineffective, or inconsistent.

Lack of Clear Distinctions Between Corrections and Human Services Facilities

As noted in Chapter 1, some of the large residential facilities that serve delinquent offenders are licensed by the Minnesota Department of Corrections (DOC) as "juvenile residential facilities," and others are licensed by the Department of Human Services (DHS) as "child caring institutions," also known as Rule 5 facilities. As a result, different state rules govern DOC and DHS facilities. For example, DHS rules require one staff person per 8 residents during waking hours, while DOC facilities require one staff person per 12 residents. Likewise, DOC-licensed facilities have requirements for contraband control and resident counting that DHS facilities do not have, and DHS has proposed rules for medication monitoring and the use of "time outs" or isolation of residents that are much more extensive than those governing DOC facilities.

In our view, having two licensing agencies and two sets of rules might make sense if there were clear distinctions between the juveniles served by DOC and DHS facilities or between the program goals at these facilities. Without clear distinctions, however, this system is potentially confusing to persons making juvenile placements.⁷ In addition, a lack of clear distinctions between DOC and DHS facilities could result in juveniles with similar characteristics receiving different services, depending on which agency licenses the facilities in which they are placed. For this reason, we looked at the populations served by various facilities and the types of programs they provide.

Some people that we talked with believe that juvenile facilities serve two distinct populations. They believe that DOC facilities are supposed to serve children who have been adjudicated as delinquents, and DHS facilities are supposed to serve children with mental health problems. In practice, however, we found that:

- There is considerable overlap between the types of juveniles served by DHS facilities and those served by DOC facilities.

For example, at one large facility licensed by DHS to serve children with mental health problems, staff told us that virtually all of the facility's residents were delinquent offenders, and the facility preferred not to admit children with very serious emotional disorders such as manic-depressive personalities. An inter-agency agreement between DHS and DOC acknowledges that some DHS-licensed facilities "serve essentially correctional clients," but it states that DHS will continue to license those facilities unless the operators request a change.⁸ On the other hand, staff at several DOC-licensed facilities told us that emotionally disturbed juveniles are a growing segment of their resident populations. At the Minnesota Correctional Facility-Sauk Centre, staff told us that more than 20 percent of the residents take psychotropic medications, which are used to treat mental illnesses. Studies from other states have indicated that a significant number of correctional facility residents have mental health problems.⁹

7 An agreement between the departments of Human Services and Corrections acknowledges that there are "areas of overlap and potential confusion" related to facility licensure. However, the agreement does not provide a substantive basis for differentiating DHS and DOC facilities. It states that requests to change licensure from one agency to another will be decided between the departments "on an individual basis," and it does not indicate which agency should license new facilities developed in Minnesota for juveniles (Department of Corrections Policy 4-303.0, "Licensing Issues Between Departments of Corrections and Human Services," January 1991). In recent months, the departments have initiated discussions about possible revisions to this agreement and ways to coordinate licensing requirements.

8 Department of Corrections Policy 4-303.0, "Licensing Issues Between Departments of Corrections and Human Services," January 1991.

9 For example, Jeffrey Fagan, "Community-Based Treatment for Mentally Disordered Juvenile Offenders," *Journal of Clinical Psychology* (March 1991), 42, reported that previous studies have estimated that 10 to 20 percent of incarcerated juveniles have mental disorders. University of Washington Division of Community Psychiatry, *Forgotten Children: The Mental Health Needs of Washington's Children* (Olympia, WA, August 1988), 34, reported that 76 percent of children in Washington's juvenile rehabilitation institutions, group homes, and parole settings were seriously emotionally disordered, compared with 7 percent of the public school population. Martin Gold and D. Wayne Osgood, *Personality and Peer Influence in Juvenile Corrections* (Greenwood Press: Westport, CT, 1992), 31-32, found that 40 percent of residents of four Michigan institutions for juvenile offenders were "beset," meaning undersocialized, anxious, and depressed.

The child caring institutions licensed by the Department of Human Services are defined in rule as "institutions engaged in or seeking to engage in the care of children who are emotionally and/or socially handicapped."¹⁰ One way to document the presence of a handicapping condition in a child is through a formal mental health diagnosis. However, we found that a primary characteristic of one diagnostic category of mental disorders, known as "conduct disorders," is delinquent activity.¹¹ Thus, even if state rules were to require diagnoses of severe emotional disturbances for all children placed in DHS facilities—which DHS has proposed in revisions to the existing rules—these diagnoses would not necessarily provide a basis for distinguishing DHS and DOC facilities by the types of children they serve.

In addition, we found that:

- The distinctions between the programs of DHS and DOC facilities are often unclear.

In many cases, there are similarities between the programs offered at DOC- and DHS-licensed facilities.

For instance, we were told by facility staff that there are not significant differences between the content of sex offender treatment programs that are licensed by DHS and others licensed by DOC. Likewise, we found that staff-guided peer counseling approaches are the foundation of some programs licensed by DOC and others licensed by DHS. The lack of programmatic differences partly reflects the fact that state rules have vague program requirements for residential facilities.¹² As a recent report noted, "Currently, there are very limited program standards that [residential facilities licensed by the Departments of Corrections and Human Services] need to meet. Facilities are licensed based on physical plant characteristics and record information, and not on the programs they provide."¹³ The similarities in program content also reflect the fact that all of the DOC and DHS programs we visited were attempting to address a common goal: providing therapeutic living environments and instruction to help juvenile offenders change delinquent behaviors.

DHS has drafted new rules that are intended to bring Rule 5 facilities into compliance with the Minnesota children's mental health act, and they contain somewhat

10 *Minn. Rules* Ch. 9545.0910, Subp. 1. According to *Minn. Stat.* Ch. 245A.03, Subd. 2 (10), programs licensed by the Commissioner of Corrections are excluded from human services licensing requirements. Existing DHS rules do not require children to have a formal diagnosis of mental illness. Instead, the rules define emotionally handicapped children as children who need the care and treatment that Rule 5 facilities provide (*Minn. Rules* Ch. 9545.0910, Subp. 3).

11 Conduct disorders, as identified in the primary psychiatric diagnostic manuals, are demonstrated by symptoms such as chronic rule violations, physical violence, thefts, and lying. Herbert Quay, "Conduct Disorders," *Psychopathological Disorders of Childhood*, ed. Quay and John S. Werry (New York: John Wiley & Sons, 1986), 36, notes that "studies have clearly shown. . . that most of the elements of [conduct disorders] may be found in juvenile delinquents."

12 For example, DOC-licensed facilities are required to offer recreation, social services, crisis counseling, and comprehensive and continuous educational services, and DHS-licensed facilities are required to have "a treatment program based on meeting the particular needs of each child" (*Minn. Rules* Ch. 9545.0950, Subp. 4).

13 *Report of the Task Force on Juvenile Programming, Evaluation, and Planning* (St. Paul, December 1994), 25.

DHS and DOC need to develop more consistent requirements for juvenile facilities.

more specific requirements for program content.¹⁴ The rules would require facilities to offer individual and group psychotherapy, crisis assistance, medication education, recreation, social skills development, parenting classes, family support services, and training in independent living skills. The rule would also require clinical supervision of programs by a mental health professional. Even if these rule changes are adopted, however, we think that confusion about DHS and DOC facilities could still result from underlying similarities between many juveniles with mental health problems and many who have been adjudicated as delinquent.

A task force on juvenile programming created by the 1994 Legislature recently recommended that the Departments of Corrections and Human Services work jointly toward the development of "consistent general licensing requirements for juvenile residential care" by July 1997.¹⁵ We concur with the task force's recommendation. We think that it makes sense for these departments to develop consistent rules for certain aspects of facility operations, while preserving a variety of programmatic approaches. While both departments told us they support the task force's suggestion, we think that a legislative directive will help to ensure that this effort stays on schedule. We recommend that:

- The Legislature should require the Departments of Corrections and Human Services to develop more consistent general licensing requirements for juvenile residential facilities by mid-1997.

In order for state rules to be helpful to those people responsible for placing juveniles in residential facilities, we think that facilities should be distinguished in rules primarily by their program components and goals, not by whether they serve "corrections" or "mental health" juveniles. However, as facilities attempt to address the needs of juveniles with multiple problems, we think it will be important for the rules to incorporate adequate protections so that vulnerable youth, such as those who are severely depressed or are in need of protective services, are not endangered by aggressive or predatory juveniles.

Lack of Information on Facility Programs

The lack of clear distinctions in state rules between DHS and DOC facilities might not be confusing for counties if, in practice, counties understand these facilities well enough to make appropriate placement decisions. For example, it is reasonable to expect that counties might want information on facilities' program components, service populations, and program outcomes.

We found that the facilities we visited often had useful brochures and videos describing their services, which could help county and court staff when making placement decisions. In addition, the Minnesota Council of Child Caring Agencies publishes a useful directory of many of the DHS-licensed residential facilities and has established a system by which these facilities annually collect information

¹⁴ Department of Human Services, Proposed Permanent Rules Governing Licensure of Residential Treatment Programs for Children with Severe Emotional Disturbance. *Minn. Stat.* §§245.487-245.4888 is the children's mental health act.

¹⁵ *The Report of the Task Force on Juvenile Programming, Evaluation, and Planning*, 24.

on resident demographics and services, living arrangements after discharge, and parent satisfaction.¹⁶ While some facilities use standardized tests or assessment tools to monitor resident progress at the facility, most have not tried to conduct systematic, regular followup on residents who have been released.¹⁷ As we note in Chapter 5, one reason for this is that juvenile court records are not public information.

In our surveys of county staff, we asked juvenile correctional supervisors and social service directors whether they had adequate information on which to base recommendations for residential placements. We found that:

- County staff generally believe that they need better information on program effectiveness and family satisfaction with individual facilities. To a lesser extent, county staff would also like better information on the types of programs that facilities offer and the types of juveniles that they serve.

Most counties would like better information on program effectiveness and family satisfaction.

Figure 2.1 shows the extent to which county officials are satisfied with various types of information they have on facilities. More than three-fourths of these officials said that they would like better information on the effectiveness of individual facilities. In addition, about 84 percent of social service directors and 66 percent of correctional supervisors said they would like better information on the satisfaction of family members with facility services. Although the majority of county officials think that they have adequate information describing the programs of individual facilities and the types of clients they serve, many officials said they would prefer better information. Department of Corrections officials also told us that county officials responsible for making placements are finding themselves with less time to evaluate and understand differences among residential facilities due to growing juvenile caseloads.

We were also interested in whether county staff believe that the courts have sufficient information on the mental health status of juvenile offenders prior to making placement decisions. Juvenile courts have authority to ask county staff to obtain background information on offenders, or they can hire professionals to conduct mental health evaluations. In the case of juveniles found delinquent for committing felony-level offenses, the courts are required by law to make findings regarding these juveniles' mental health needs.¹⁸ We found that:

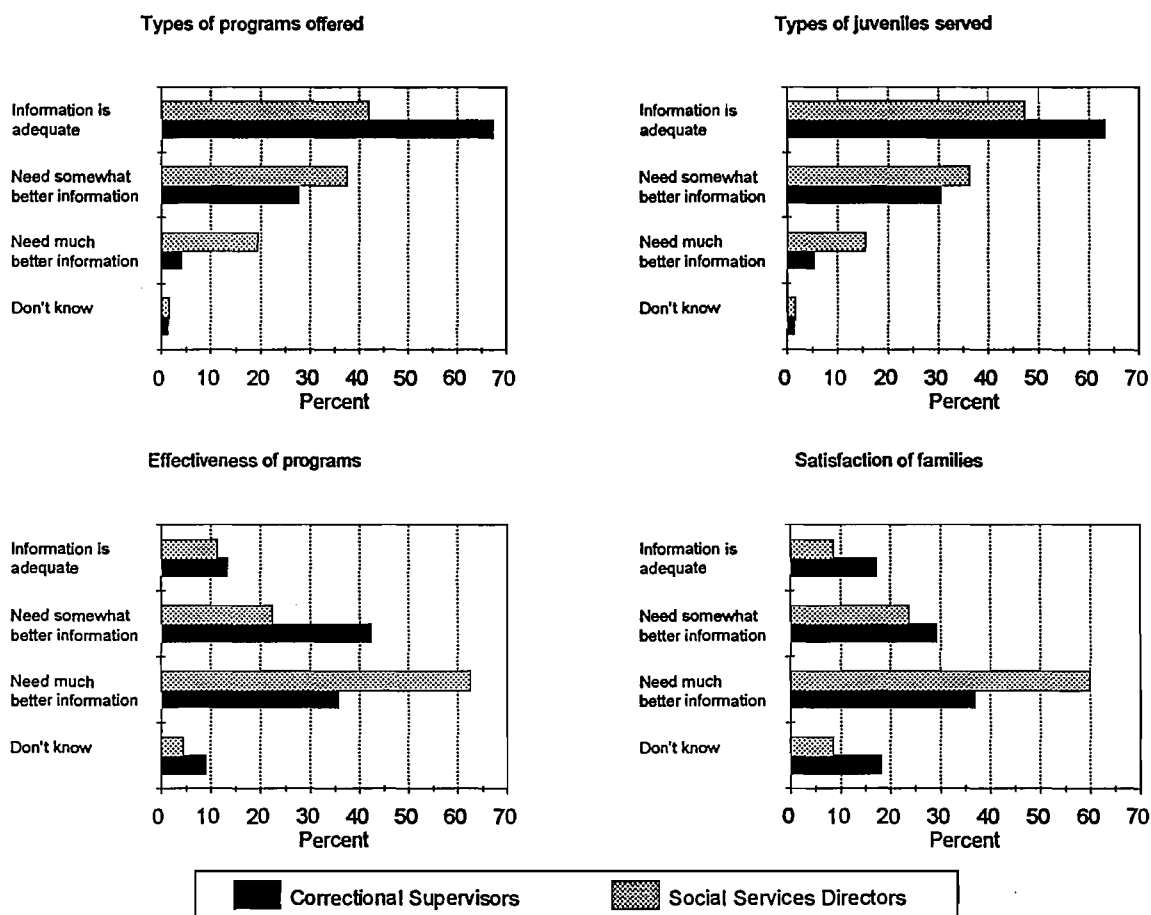
- Officials in many counties are not satisfied that juvenile offenders' mental health needs are adequately considered prior to placement.

16 Minnesota Council of Child Caring Agencies, *1994 Resource Directory* (St. Paul, 1994), and *Student Data Reporting System: 1994 Annual Report* (St. Paul, October 1994).

17 Among the facilities that we visited, St. Croix Camp and Woodland Hills have conducted some previous analyses of resident recidivism. The Anoka County Juvenile Center collects information on reoffense by its sex offenders, and the Hennepin County Home School helped to sponsor an outside study of recidivism among its sex offenders.

18 *Minn. Stat.* §260.185, Subd. 1.

Figure 2.1: Percentage of County Officials Satisfied With Various Types of Information on Residential Facilities



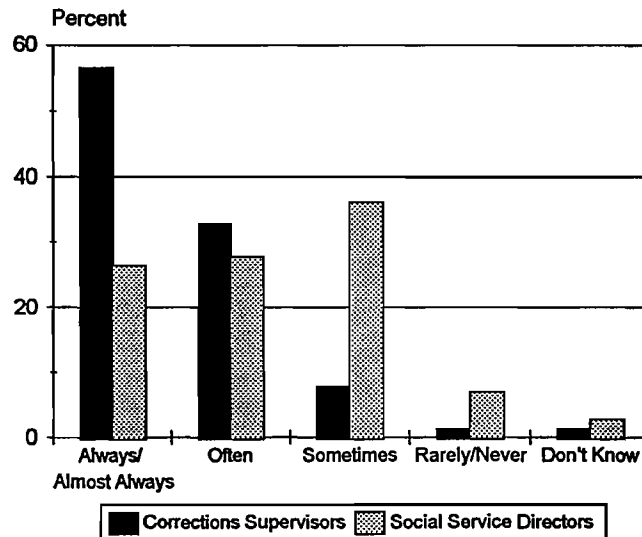
Source: Program Evaluation Division surveys, September-October 1994.

Figure 2.2 shows county responses to our surveys on juvenile offenders. Only 26 percent of social service directors--who typically manage their counties' mental health services--told us that offenders' mental health needs are "always" or "almost always" sufficiently considered. We asked for recommendations for improvement from those county officials who told us that proper assessments are not always done. The suggestions we received included the following:

- County corrections and social services staff need to work together more closely when evaluating the needs of offenders prior to disposition decisions;
- Judges and attorneys need to be educated about mental health needs and diagnoses;
- Counties need better mental health screening instruments; and

County social services officials believe there is a need for better mental health screening.

Figure 2.2: County Responses to Survey Question: How Often Are Court Dispositions Based on Sufficient Consideration of Juveniles' Mental Health Needs?



Source: Program Evaluation Division surveys, September-October 1994.

- Counties should conduct mental health assessments long before juveniles are considered for out-of-home placements.

Overall, the responses of counties to our survey suggest that the courts sometimes lack enough information to make informed placement choices from among many residential options. We recommend that:

- The departments of Human Services and Corrections should jointly develop a descriptive guide to residential facility programs and a standardized format for regularly reporting information on the types of residents that individual facilities have served. The departments should also recommend model instruments that facilities could use to measure family satisfaction and that counties could use to screen or assess juvenile mental health.¹⁹

In Chapter 5, we offer suggestions for measuring an important indicator of service effectiveness, juvenile recidivism.

Waiting Lists

Residential facilities have a limited number of beds available for juveniles, so it should not be surprising if county staff sometimes have difficulty placing offenders in their facilities of choice. The state-operated facilities at Red Wing and Sauk

¹⁹ Some facility and DOC staff told us that there may be limits to the usefulness of family satisfaction surveys since some juveniles have parents who show little interest in their children or who themselves have criminal values.

Centre that serve offenders committed to the Commissioner of Corrections are the only Minnesota facilities required to accept all referred juveniles from all 87 counties. In addition, county-operated facilities, such as the Hennepin County Home School and Ramsey County's Boys Totem Town, generally must admit any juveniles referred to them by the juvenile courts in the counties where they are located. Most other facilities can refuse to admit offenders if there are no beds available or if facility staff determine that a juvenile would not be "a good fit" in their programs. We asked county officials about waiting lists in residential facilities, and we found that:

- **About 73 percent of corrections supervisors and 43 percent of social service directors said that the presence of waiting lists at preferred facilities "often" or "always" affects their recommendations to the courts regarding placements.**

Counties have had problems placing youth who are resistive, aggressive, and difficult to control.

Counties reported having particular difficulties placing youth who are resistive, aggressive, and difficult to control. About 66 percent of correctional supervisors and 61 percent of social service directors said that their counties "always" or "often" have difficulty finding facilities that are willing to accept referrals of these offenders. Most county officials reported that, when they do find facilities that will serve difficult-to-control offenders, those facilities "sometimes," "rarely," or "never" address these offenders' needs.

We asked county officials to rank the types of offenders for whom their counties have had the most difficulty finding residential services. Table 2.1 shows that difficult-to-control offenders topped the rankings of correctional supervisors and social service directors.²⁰ In addition, many correctional supervisors think there is a need for residential services for offenders with mental health needs, and many correctional supervisors and social service directors cited a need for residential services for very young offenders and offenders with developmental disabilities. The lack of residential services for these types of offenders may reflect some facilities' admission practices. Staff at some facilities that we visited said that young offenders and offenders with mental health problems or low IQs have more difficulty functioning effectively in programs that require group interaction and self-reflection. As a result, some facilities are reluctant to admit them.

Because counties have experienced difficulties finding residential beds for juvenile offenders, they sometimes make placements in less preferred facilities that have space available. Also, counties sometimes consider both DOC-licensed and DHS-licensed facilities for a given offender and select whichever facility has the earliest available bed. These practices suggest that, to the extent possible, it would be useful to standardize certain facility requirements and resident rights among DHS and DOC facilities. For example, as noted earlier, the residential facility rule recently proposed by DHS has more detailed requirements than DOC rules for medication monitoring and the use of "time outs" or isolation for residents. As recommended earlier in this chapter, we think that DHS and DOC

²⁰ The 1994 Legislature provided construction funding for a new secure confinement building at the Red Wing facility and provided funding for additional detention and secure facility beds throughout Minnesota.

Table 2.1: Types of Offenders for Whom Counties Reported the Most Difficulty Finding Residential Placements

	<u>Number of Officials Ranking This Type of Offender in the Top 3 Needs</u>	<u>Number of Officials Ranking Residential Facilities For This Type of Offender as Their Greatest Unmet Need</u>
JUVENILE CORRECTIONS SUPERVISORS (N = 77)		
Aggressive, difficult to control offenders	57	41
Very young offenders (e.g., under age 14)	27	3
Offenders with mental health needs	26	5
Developmentally disabled or low-functioning offenders	21	4
Offenders who are high risks for running away	20	2
Sex offenders	17	6
Chemically dependent offenders	15	6
Female offenders	11	2
Offenders with limited English-speaking skills	6	2
SOCIAL SERVICE DIRECTORS (N = 72)		
Aggressive, difficult-to-control offenders	50	27
Developmentally disabled or low functioning offenders	27	11
Very young offenders (e.g., under age 14)	27	7
Sex offenders	22	9
Offenders who are high risks for running away	22	3
Offenders with mental health needs	21	2
Female offenders	8	4
Offenders with limited English-speaking skills	2	2

Source: Program Evaluation Division surveys of county officials, September-October 1994.

should develop a more coordinated framework for juvenile facilities during the next two years.

Lack of Higher Staffing or Longer Stays for Committed Offenders

Residential facilities are usually viewed as one end of the continuum of court disposition options for juvenile offenders. Juvenile courts often do not resort to out-of-home placements until there have been failed attempts to change juveniles' behaviors in their home communities.

Among Minnesota's residential facilities, there is variation in the characteristics of juvenile offenders served. Some facilities--such as Thistledew Camp in Itasca County and St. Croix Camp in Pine County--tend to serve offenders who do not have extremely lengthy delinquency records. In contrast, the state-operated correctional facilities at Red Wing and Sauk Centre are often described by observers as "end of the line" facilities, and they tend to serve more chronic or more serious offenders than other facilities we examined. As we discuss in Chapter 3, for example, the average male offenders released from Red Wing and Sauk Centre in 1991 had been petitioned in court for more than 10 offenses prior to placement at these

facilities, while Thistledew and St. Croix Camp offenders averaged about 5 prior offenses.

It might be reasonable to expect that offenders who have not changed their behavior as a result of past residential stays will require more intensive treatment if there is to be real hope for rehabilitation. One way to provide this might be through higher staffing levels, which would allow programs to give offenders more individual attention. Alternatively, some people believe that longer programs might be required to deal with offenders who have more intractable problems. However, we found that:

- The state's "end of the line" facilities for juvenile offenders--at Red Wing and Sauk Centre--have lower staffing levels and shorter stays than some county and private facilities for juvenile offenders.

For example:

- Despite having some of Minnesota's most chronic juvenile offenders, the state correctional facilities at Red Wing and Sauk Centre are the only juvenile residential facilities licensed by the Department of Corrections that are out of compliance with state minimum staffing requirements. According to department licensing staff, Red Wing would need 12 additional staff and Sauk Centre would need 3 additional staff to comply with the standards required by state rules. Although Department of Corrections rules call for one staff person per 12 residents during waking hours, DOC licensing staff observed an instance during a 1994 visit to Red Wing in which one staff person supervised 31 residents during an entire eight-hour shift, and the inspector said that such staffing levels "are not uncommon occurrences at this facility."²¹ The Rule 5 facilities licensed by DHS are required by state rules to have one staff person per eight residents.
- It is not uncommon for juveniles to have shorter stays at Red Wing and Sauk Centre than at other facilities. The average length of stay for males released in 1993 from Red Wing was 204 days, and the average length of stay for all residents released from Sauk Centre was 147 days. In contrast, the average stay for residents released in 1993 from selected juvenile facilities licensed by DHS was 286 days, and the average stay for males at the Hennepin County Home School--the state's largest juvenile residential facility--was 228 days.²² According to Hennepin County guidelines, an offender with one prior delinquency adjudication who is committed to the

The Red Wing and Sauk Centre facilities have lower staffing levels than other facilities.

²¹ Deneve F. Bunde, Department of Corrections Juvenile Detention Services Program, memorandum to Dennis Falenschek, Manager, Department of Corrections Inspection and Enforcement Unit, August 19, 1994. The department added four staff to Red Wing following the inspection to improve night security and respond to the increases in the resident population, but the facility continues to operate with daytime staffing levels significantly below those required by state rules.

²² Red Wing's average length of stay dropped to 136 days in 1994. The selected DHS facilities cited here are 15 Rule 5 facilities that are members of the Minnesota Council of Child Caring Agencies. The Hennepin County Home School length of stay data reflects time spent at the facility and does not include furloughs. The home school data does not include sex offenders, who have longer stays than other offenders.

home school for second degree burglary would spend at least five to eight months at that facility before becoming eligible for furlough; the same offender would, according to state guidelines, spend three to six months at a state facility.

It is also worth noting that several facilities have more security precautions, or more long-term secure programming, than the Red Wing and Sauk Centre facilities. For example, offenders sent to the secure program at DHS-licensed Bar None Residential Services in Anoka County stay for a minimum of 13 months in a locked cottage. In contrast, while Red Wing and Sauk Centre each have one secure cottage, offenders are usually sent to those cottages for periods of days or weeks, typically for disciplinary reasons or initial assessments. The residential program at the Anoka County Juvenile Center is provided in a building that has locked doors and windows at all times. In contrast, most of the residential units at the state facilities are locked only at night, although residents are required to travel the campus in groups and their movements are monitored by staff. Also, the Hennepin County Home School has more electronic security measures than the state-operated facilities, such as infrared devices to detect residents leaving their rooms at night.

We offer these observations here without offering recommendations about what levels of staffing, program duration, and security are most appropriate for these facilities. For instance, Department of Corrections staff believe that long residential stays are not necessarily more effective than shorter stays, and there are no guarantees that longer programs and higher staffing levels would produce results that would justify the increased costs. Also, it is possible that the state has acted wisely by maintaining the Red Wing and Sauk Centre facilities as relatively open campuses, rather than turning them into facilities resembling adult prisons, as some states have done. Department of Corrections officials believe that juvenile offenders are more likely to return successfully to their communities if they receive correctional services in settings that are as open and non-secure as possible, with juveniles who are a threat to public safety committed to the adult corrections system. However, the fact that staffing levels, lengths of stay, and security levels do not necessarily increase--and may decrease--as offenders approach the end of the residential service continuum generally reserved for the more difficult juveniles has led some county officials to observe that the residential service system is "not rational" or sends the wrong messages to offenders. For example, if a juvenile is committed to Red Wing following an unsuccessful placement at Duluth's Woodland Hills facility, Red Wing would provide a program similar to the one at Woodland Hills (using the "positive peer culture" model, discussed in Chapter 4), but with lower staffing levels and probably a shorter stay than Woodland Hills provided. The Department of Corrections may wish to explore ways to better differentiate services at Red Wing and Sauk Centre from those at other Minnesota facilities.

**Some counties
have placed
juveniles in
other states.**

Some counties have opted to place certain juvenile offenders at facilities in other states rather than placing them at Red Wing or Sauk Centre. A DHS survey of counties found that, during a recent 21-month period, at least 178 Minnesota

children were placed in residential facilities outside of the state.²³ Most of these juveniles were placed by the courts following adjudication for delinquency. Of the out-of-state placements documented by a survey, 52 percent were from Ramsey County and 17 percent were from Hennepin County. Counties were asked to identify reasons for each placement, and in 54 percent of the cases they said that there was no appropriate program for the juvenile in Minnesota. Specifically, counties said that they preferred out-of-state programs due to characteristics such as highly structured programs, high security, specialized programs, low costs, and high quality programs. In our interviews, Hennepin and Ramsey County officials expressed concerns to us about the ability of Minnesota's state-operated facilities to offer programs and security adequate for their counties' most difficult offenders.²⁴

Lack of Commitment Guidelines

Minnesota courts have considerable freedom to determine juvenile dispositions.

Minnesota's 87 juvenile courts have considerable freedom to determine juvenile dispositions. There are no statewide guidelines regarding placements, even on commitments to the Commissioner of Corrections. In 1993, the Minnesota Supreme Court Advisory Task Force on the Juvenile Justice System recommended against statewide sentencing guidelines for juveniles, noting that "(t)he hallmark of the juvenile justice system is the ability to individualize the response of the system to each offender."²⁵ The task force recommended that each of the state's 10 judicial districts develop juvenile disposition guidelines, and the 1994 Legislature mandated that this occur by January 1996.

We did not conduct a systematic study of court dispositions, but we did look at the extent to which various counties have referred juveniles to the Minnesota Correctional Facilities at Sauk Centre and Red Wing. Presumably, these are the facilities reserved for Minnesota's more serious and chronic offenders. In addition, for the 53 Minnesota counties that do not participate in the state's Community Corrections Act (CCA) program, these facilities are also the least expensive residential program options. Juveniles placed by non-CCA counties at Red Wing and Sauk Centre are fully subsidized by the state, while CCA counties must pay \$112 per day for juveniles placed at these facilities. We found that:

- Counties that do not participate in the Community Corrections Act are much more likely to use the Red Wing and Sauk Centre facilities than CCA counties.

In 1993, we found that non-CCA counties placed juveniles at these facilities 17.3 days per 1,000 county residents, while CCA counties placed juveniles 8.2 days per

²³ Department of Human Services, *Report on Out-of-State Placements* (St. Paul, February 1994). There were 27 counties that did not respond to the DHS survey.

²⁴ Department of Corrections staff told us that they believe many out-of-state placements have been made at facilities with lower costs and longer stays than Minnesota facilities. County staff confirmed to us that costs and program length are sometimes considerations in out-of-state placements, and they also said that they sometimes prefer to retain control over difficult offenders rather than committing them to the Commissioner of Corrections.

²⁵ *Report of the Supreme Court Task Force on the Juvenile Justice System*, 62.

1,000 residents. Excluding Hennepin and Ramsey counties, CCA counties placed juveniles at these facilities only 4.4 days per 1,000 residents. Thus, the non-CCA counties—despite having lower levels of juvenile crime—used the state facilities at rates four times that of the CCA counties, excluding Hennepin and Ramsey counties.²⁶

This pattern may reflect the fact that CCA counties have, as originally intended by the Legislature, used their state funding to develop community services or facilities that have reduced the need for placements at state facilities. However, it is also possible that non-CCA counties are sending more of their less serious offenders to Red Wing and Sauk Centre, perhaps as a way to economize on juvenile placements. Table 2.2 shows differences between offenders from CCA and non-CCA counties who were released from these facilities in 1991. In general, the offenders from non-CCA counties were less likely than offenders from CCA counties to have multiple felony offenses or violent offenses in their juvenile records. As we discussed earlier, many of the most serious offenders from the CCA counties are sent to facilities outside of Minnesota and are not reflected in these data.²⁷

On average, non-CCA counties tend to use the Red Wing and Sauk Centre facilities for less serious offenders.

Table 2.2: Prior Delinquency of Offenders Released in 1991 from Red Wing and Sauk Centre Facilities

	Juveniles from CCA Counties (N = 140)	Juveniles from Non-CCA Counties (N = 142)
Percent with violent felony petitions	48.6%	27.5%
Percent petitioned for 5 or more felony offenses	45.7	32.4
Percent petitioned for 10 or more offenses of any kind	56.4	45.1

Source: Program Evaluation Division analysis of State Judicial Information System records.

Note: Violent felonies include murder, criminal sexual conduct, assault, robbery, and kidnapping.

Because the judicial districts will be developing disposition guidelines during the next year, it would be premature for the 1995 Legislature to consider whether there is a need for commitment guidelines or admission criteria at the state correctional facilities. However, the recent growth in juvenile populations at these two facilities provides a good reason for the Department of Corrections to examine placement patterns closely. We recommend that:

²⁶ In 1993, there were 4.1 juveniles arrested for serious crimes in CCA counties per 100 juveniles ages 10 to 17, or 3.4 in CCA counties excluding Hennepin and Ramsey. There were 2.6 juveniles arrested in non-CCA counties per 100 juveniles ages 10-17.

²⁷ In 1993, DHS surveyed counties to determine their use of out-of-home placement over a 21-month period (59 of 87 counties responded). Of the 178 such placements reported, 145 were from CCA counties. See *Report on Out-of-State Placements* (February 1994), 40-41.

- **After reviewing the juvenile disposition guidelines that are being developed by judicial districts, the Department of Corrections should consider whether there is a need to supplement these guidelines with state criteria on juvenile commitments to the Commissioner of Corrections.**

SUMMARY

Although the stated purpose of Minnesota's juvenile laws does not focus as exclusively on the "best interests of the child" as it once did, most counties still embrace a strong belief in the goal of rehabilitating juvenile offenders. Placements are usually made with the hope of reducing delinquents' risk of reoffending. Thus, in order to measure whether the state is dealing effectively with juvenile offenders, it is important to determine whether juveniles placed by the courts do, in fact, continue to violate state laws and local ordinances. This is the focus of the next chapter.

Minnesota has a large network of residential facilities for juvenile offenders. Placements into this system are determined by each of 87 courts, often with input from probation officials, mental health staff, and others. The courts may face several obstacles to rational placement decisions, including the lack of: (1) clear differences between "corrections" and "mental health" facilities, (2) sufficient information on facility programs and resident outcomes, (3) sufficient bed space for certain offenders, and (4) higher levels of staffing or longer stays at "end of the line" facilities.

These problems sometimes confuse and frustrate counties, but they do not bring the placement process to a halt. County staff make placement recommendations to courts based on less-than-perfect knowledge, and they sometimes settle for residential placement choices that are not at the top of their priority lists. The impact of these placement problems on juvenile offenders is difficult to determine. However, it is certainly possible that some instances in which juveniles continue to reoffend following residential placements could reflect failures of the juvenile placement process to identify and use the services most appropriate to offenders' needs.

Rates of Juvenile Reoffense

CHAPTER 3

For the most part, the juveniles in the residential facilities that we studied have one important characteristic in common: they have broken the law, resulting in a finding of delinquency by a juvenile court. While there are many potential measures of program effectiveness, it is especially important to track whether juveniles commit new offenses after leaving a residential treatment program. As one recent study of juvenile crime noted,

While specific strengths of residential placements may differ, there is one type of outcome most generally accepted as an indicator of correctional effectiveness—reduced recidivism. Most individuals responsible for sending offenders to residential placement facilities believe, or at least hope, that the juvenile's experience at the facility will reduce his/her likelihood of engaging in criminal behavior after release. Moreover, in the choice of one placement over another for a particular juvenile, there is the implicit assumption that placements are differentially effective in abilities to reduce or eliminate recidivism.¹

We recognize that facilities cannot compel their "graduates" to be law abiding, and it may be unrealistic to expect a residential facility to change, in a few months, the values and attitudes that some juveniles have acquired over a lifetime. However, at a minimum, reoffense rates provide an initial indication of the degree to which offenders are changing their behavior, even if it may be difficult to conclusively link those changes to particular programs or actions of the juvenile justice system.

In this chapter, we ask:

- **What has previous research shown about patterns of juvenile offense and the impact of programs on juvenile recidivism?**
- **To what extent have Minnesota juveniles committed new offenses in the years following their placements in residential facilities?**

In general, we found that most Minnesota juveniles continued offending after their release from a residential treatment program. Juveniles released from the state and county residential facilities that we examined had the highest reoffense rates, but those facilities tended to admit offenders with more serious and extensive offense backgrounds than offenders at the private facilities we reviewed. Our results

¹ Lynn Goodstein and Henry Sontheimer, *A Study of the Impact of 10 Pennsylvania Residential Placements on Juvenile Recidivism* (Shippensburg, PA: Center for Juvenile Justice Training and Research, September 1987), 3.

are within the wide range of recidivism rates reported in studies in other states, except that we found a higher percentage of juvenile offenders who went on to commit adult crimes than had been reported previously. In general, studies have found the effects of juvenile treatment programs to be small, on average. While many individual studies have shown larger positive effects, a consensus is still developing on which types of programs work best with different types of offenders.

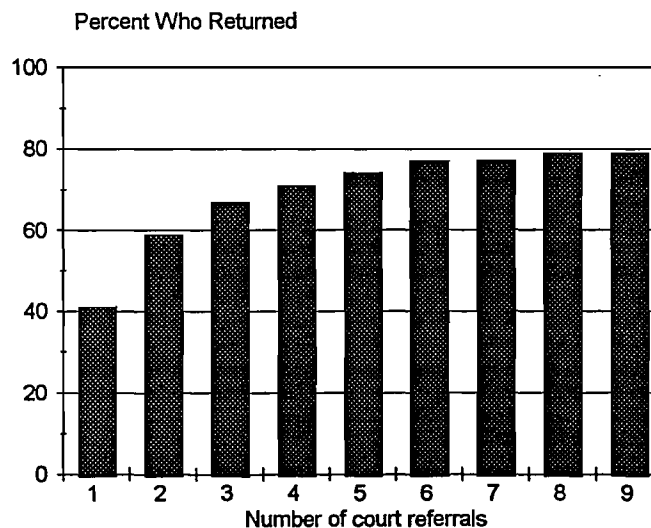
LITERATURE ON GENERAL PATTERNS OF OFFENDING

Many juvenile males have some contact with the police.

Research has shown that a substantial portion of males have some contact with police while they are juveniles. For example, two long-term studies of youths in Philadelphia showed that about one-third of all males born in 1945 and 1958 had police records related to delinquent activities by the time they reached their eighteenth birthdays.²

Among juveniles who are taken into custody or referred to juvenile court, many do not have subsequent contacts with the police or juvenile courts. The Philadelphia studies found that 42 to 46 percent of juveniles were one-time offenders, based on police records. Figure 3.1 shows another study's findings on the likelihood of returning to juvenile court as the number of court referrals increases. For

Figure 3.1: Percent of Juveniles Who Returned to Juvenile Court, Shown By Number of Prior Court Referrals



Source: Howard N. Snyder, *Court Careers of Juvenile Offenders* (Pittsburgh: National Center for Juvenile Justice, March 1988), viii.

² Marvin E. Wolfgang, Robert M. Figlio, and Thorsten Sellin, *Delinquency in a Birth Cohort* (Chicago: University of Chicago Press, 1972), 244; Paul E. Tracy, Wolfgang, and Figlio, *Delinquency in Two Birth Cohorts: Executive Summary* (Washington, D.C.: U.S. Department of Justice, September 1985), 5. The "police records" referred to here are rap sheets and include instances where juveniles were released to the custody of their parents without being arrested.

A small percentage of juveniles commit most of the serious and violent juvenile offenses.

example, 41 percent of offenders referred to juvenile court for the first time returned to this court at some later time. Of offenders referred to juvenile court for the second time, 59 percent returned for at least one more appearance.

Research has indicated that a small percentage of juveniles commit most of the serious and violent juvenile crimes. For instance, some studies have found that:

- About 23 percent of male delinquents—representing about 7 percent of the juveniles in their age group—were responsible for 68 percent of all serious juvenile offenses.³
- Of juveniles referred to court at some time in their lives, about 6 percent of males and 1 percent of females had at least one referral for a serious violent offense (murder, non-negligent manslaughter, forcible rape, robbery, or aggravated assault).⁴

There is evidence that juveniles who begin their delinquent careers at earlier ages are more likely than others to commit serious offenses at some time during their juvenile years.⁵ Studies have shown that most juvenile repeat offenders move from one type of offense to another, but there is also evidence that some subgroups of chronic offenders tend to "specialize" in certain offenses.⁶

LITERATURE ON PROGRAM EFFECTIVENESS

During the past 50 years, hundreds of studies have evaluated the impact of programs for delinquent youth. These programs include various types of interventions, ranging from probation services in the community to residential treatment services. Some studies have examined the changes in juveniles only during the periods when they were in programs and receiving services, while others have examined the levels of delinquency or other behavior following program completion. The more rigorous studies have assigned juvenile offenders randomly to either (1) a program involving some special intervention, or (2) a "control group" that did not receive program services. This approach has enabled researchers to compare behaviors among groups of offenders with similar characteristics.

³ Tracy et al., *Delinquency in Two Birth Cohorts*, 10, based on a study of Philadelphia youth born in 1958.

⁴ Howard Snyder, *Court Careers of Juvenile Offenders* (Pittsburgh, PA: National Center for Juvenile Justice, March 1988), 14-15, based on a study of Utah and Phoenix youth. Of juveniles referred to juvenile court at some time in their lives, just over half of both males and females were referred for a serious property crime (burglary, larceny-theft, motor vehicle theft, arson).

⁵ Tracy et al., *Delinquency in Two Birth Cohorts*, 13; Snyder, *Court Careers of Juvenile Offenders*, 17-21. Snyder analyzed juvenile petition data and found a tendency for delinquents to progress from less to more serious offenses (p. viii). Snyder summarized previous research based on juvenile arrest, rather than petition, data (p. 3) and noted that these studies showed little evidence of juveniles progressing systematically to more serious offenses.

⁶ Tracy et al., *Delinquency in Two Birth Cohorts*, 16-18; Snyder, *Court Careers of Juvenile Offenders*, 45-66.

During the mid-1970s, there was considerable pessimism about the ability of correctional interventions to help rehabilitate offenders. In large part, this was triggered by a much-discussed summary of past research that found that: "With few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism."⁷ The author later recanted his conclusion following additional research and observed that "contrary to my previous position, some treatment programs *do* have an appreciable effect on recidivism." He also noted that "no treatment program now used in criminal justice is inherently either helpful or harmful. The critical fact seems to be the *conditions* under which the program is delivered."⁸

We examined several recent summaries of research literature from the juvenile corrections and mental health fields. We found that:

- **Many individual studies have shown that programs for delinquent offenders can reduce recidivism, but the average impact has been relatively small.**

Perhaps the most extensive analysis of past research examined 443 rigorous studies conducted since 1950. In this 1992 summary of research on residential and nonresidential programs, Lipsey found that:

The answer to the general question "Does treatment reduce delinquency?" therefore appears to be "Yes, on average there is a positive effect." But while positive and statistically significant, the mean effect sizes found here appear relatively modest. . . . (T)he mean treatment effect . . . is equivalent to a reduction in average recidivism from 50 to 45 percent.⁹

The author concluded that "the more structured and focused treatments (e.g., behavioral, skill-oriented) and multimodal treatments seem to be more effective than the less structured and focused approaches (e.g., counseling)."¹⁰ The most effective treatments appeared to have reduced reoffense rates by 10 to 20 percentage points, compared with control groups that did not receive these treatments. However, the review noted that the characteristics of many treatment programs were inadequately described in past research, making it difficult to determine the circumstances that produced more successful programs.

In 1989, Whitehead and Lab reviewed 50 of the more recent studies of juvenile programs. Their analysis of studies issued between 1975 and 1984 found that

7 Robert Martinson, "What Works? Questions and Answers About Prison Reform," *The Public Interest* (Spring 1974), 25. This article was based on a subsequently-published review of research: Douglas Lipton, Martinson, and Judith Wilks, *The Effectiveness of Correctional Treatment: A Survey of Treatment Evaluation Studies* (New York: Praeger, 1975).

8 Martinson, "New Findings, New Views: A Note of Caution Regarding Sentencing Reform," *Hofstra Law Review* (Winter 1979), 244, 254. Unlike Martinson's prior analysis, this review was based on research involving both experimental (with control groups) and non-experimental approaches.

9 Mark W. Lipsey, "Juvenile Delinquency Treatment: a Meta-Analytic Inquiry into the Variability of Effects," in *Meta-Analysis for Explanation: A Casebook*, eds. Thomas D. Cook et. al (New York: Russell Sage Foundation, 1992), 97-98.

10 Lipsey, "Juvenile Delinquency Treatment," 123.

On average, studies of programs for juvenile offenders have found only modest reductions in recidivism.

some, but not most, interventions resulted in positive effects on recidivism. However, the authors said that the "results are far from encouraging for advocates of correctional intervention. . . . The results clearly support the contentions of [previous analysts] that correctional treatment has little effect on recidivism."¹¹

Unlike Lipsey, this review did not find that behavioral and skill-oriented programs were better than other types of treatment. It also found that residential or institutional programs were among the least effective categories of programs.

Only one recent analysis of past research has focused exclusively on **residential** programs for adjudicated delinquents. That review of 111 studies completed between 1960 and 1983 found that residential treatment resulted in only "modest" reductions in recidivism.¹² The analysis reported that programs had more positive results on other measures of effectiveness, such as residents' academic performance and psychological adjustment.

Unfortunately, analyses of past research have not always distinguished between gains made by residents while they are in residential programs and those retained over longer periods. As one recent review of mental health studies noted, successful adjustment by a juvenile while in a residential treatment program has not been shown to predict adjustment in the community. However, that review noted that ongoing support and continuity in personal relationships have been shown to be predictors of improved community adjustment. This has led researchers to conclude that many juveniles in residential facilities need aftercare treatment, family counseling, and chances to learn things that can be applied to life away from a facility setting.¹³

Most researchers concede that much is still unknown about the effectiveness of residential and community services for juvenile offenders. Many of the research studies have not been designed in ways that allow analysts to determine: (1) specific program components that contribute to positive outcomes, or (2) specific groups of offenders who are most likely to benefit. However, despite these shortcomings, one recent literature review said that researchers seem to have reached several important points of agreement related to services for serious and repeat offenders:

11 John T. Whitehead and Steven P. Lab, "A Meta-Analysis of Juvenile Correctional Treatment," *Journal of Research in Crime and Delinquency* (August 1989), 289, 291. One analysis subsequently suggested that Whitehead and Lab's findings would have been more positive if they had only examined "appropriate" correctional programs, defined as those targeting higher risk cases, targeting offenders' "criminogenic needs," and matching treatment approaches to resident needs; see D.A. Andrews, et al., "Does Correctional Treatment Work? A Clinically Relevant and Psychologically Informed Meta-Analysis," *Criminology* (August 1990), 369-404.

12 Carol J. Garrett, "Effects of Residential Treatment on Adjudicated Delinquents: A Meta-Analysis," *Journal of Research in Crime and Delinquency* (November 1985), 297. If the average recidivism rate of offenders who did not receive treatment is considered the 50th percentile, this analysis found that the average treated offender reoffended at a rate comparable to the 55th percentile, or "somewhat less than did the untreated" (p. 298).

13 John F. Curry, "Outcome Research on Residential Treatment: Implications and Suggested Directions," *American Journal of Orthopsychiatry* (July 1991), 348-357.

- That interventions with more difficult offenders should combine a **variety of components**, such as vocational or academic training, individual or group counseling, recreation, and cultural enrichment;
- That more difficult offenders should often receive **more frequent and more intensive interventions and staff contacts** than less serious offenders; and
- That staff should **adapt a program to individual needs** rather than automatically applying all of its components to each resident.¹⁴

Overall, the pessimistic view that "nothing works"—which prevailed among many people 15 to 20 years ago—seems to have given way to a view that some programs can make a difference with certain juvenile offenders, including serious offenders. Still, there are many studies in which treatment programs have been shown to have little, no, or even negative effects, which underscores the need for ongoing measurement of program results.

RESEARCH METHODS FOR OUR ANALYSIS OF MINNESOTA REOFFENSE RATES

Over the years, some Minnesota residential facilities have conducted or sponsored follow-up studies on their residents. However, we are not aware of any studies that have examined reoffense rates for multiple facilities using statewide court data. Perhaps the chief obstacle to such studies are data privacy restrictions on juvenile court data. In addition, the state's primary juvenile justice information system has comprehensive information on juvenile delinquency petitions, but it was set up primarily to provide authorities with information on individual court actions, not to track individuals over time. Fortunately, with the cooperation of state and county agencies, we were able to overcome these difficulties. In this section, we discuss the data that we used, our approach to analysis, and information on facilities that provides a necessary context for our analysis.

We tracked juvenile offenses using statewide data on court actions.

Data Collection

We requested and received the names of all juvenile offenders released in 1991 from eight residential facilities which are described later in this section. We then matched these names with juvenile court and adult police records to determine juveniles' offense histories before and after placement in the residential facilities. Our primary data source for juvenile offenses was the Minnesota Supreme Court's State Judicial Information System (SJIS). This system has records of juvenile

¹⁴ Ted Palmer, "The Effectiveness of Intervention: Recent Trends and Current Issues," *Crime and Delinquency* (July 1991), 330-346. The author noted that recent literature reviews have not identified general types of programs that have consistently produced major recidivism reductions.

We also used adult criminal history records maintained by the Bureau of Criminal Apprehension.

court petitions filed in county courts, and it includes information on offenses and case dispositions.¹⁵

We used the Supreme Court's system to obtain information on all delinquency petitions filed on our sample of juveniles between January 1984 and December 1993. In order to track the criminal histories of juveniles after they turned 18 years old, we examined arrest and conviction records maintained by the Bureau of Criminal Apprehension (BCA).

The Supreme Court relies on county clerks to report court information accurately and thoroughly. Although the court provides clerks with data forms and instructions, no one regularly audits the information for accuracy. Because we asked facilities to provide us only with names of juvenile offenders, we assumed that all of the juveniles in our sample would have at least one delinquency adjudication. However, there were a number of juveniles we could not locate on the Supreme Court's information system. This may have reflected incorrect information reported to us by facilities or incomplete records on the Supreme Court's system.¹⁶ In all, we were able to analyze the records of 1,472 offenders released from facilities in 1991 and 791 offenders released in 1985.

There are several reasons why our analysis may *understate* actual levels of juvenile offense. In the case of adult arrest records, an entry is not made in the BCA's criminal history data system unless it is accompanied by a fingerprint card. BCA officials estimated that the agency is missing information on about 32 percent of the court dispositions, either because the fingerprint card was not sent or was not usable, or because BCA was unable to match the identification number on the fingerprint card with a court identification number. (Forty-four percent of the missing reports are for persons arrested for driving-related offenses, such as driving while intoxicated or with a revoked or suspended license.) Also, BCA only receives arrest reports for felonies and gross misdemeanors, not misdemeanors.¹⁷

In addition, our analysis is based only on offenses for which juveniles were caught. Juveniles in our sample likely committed offenses that were not reported

15 The SJIS system does not contain names, but it identifies each juvenile by a unique youth identification (ID) number. We used the Supreme Court's Total Court Information System (TCIS) to match names with youth IDs. Several counties, including Hennepin and Ramsey, were not part of TCIS in 1991. We examined Hennepin and Ramsey court records to obtain youth IDs for juveniles from those counties. We also received cooperation identifying youth IDs from other counties not on TCIS in 1991.

16 There were 31 names for which we could not obtain a youth ID. Possible reasons include misspellings or name changes, misidentification or changes of the youth's county of residence, or failure of counties to submit the required forms to the Supreme Court. We dropped 44 additional juveniles from our analysis because we identified their youth IDs on TCIS but could not locate the same IDs on SJIS. We dropped 24 juveniles who lived out of state and another 45 juveniles (30 of them from St. Croix Girls Camp) because the only petition we could find for each of them was for a juvenile status offense (e.g., truancy, running away, violating curfew) or for a child in need of protection and services. SJIS records on 48 juveniles showed no petitions prior to entering the juvenile facility although there were petitions after release. We left these cases in our sample. Sixteen percent of the offense codes in SJIS did not specify whether the offense was a felony or misdemeanor. We took a conservative approach and counted them as misdemeanors.

17 Felonies carry a possible prison sentence of greater than one year. Gross misdemeanors are offenses with a maximum stay of 90 days to one year in a county jail or workhouse. The maximum jail term for a misdemeanor is 90 days.

or that did not result in arrests. Also, our analysis may undercount offenses committed by juveniles in our sample who moved to another county after leaving a residential facility, and it does not include offenses for juveniles and adults who moved to another state.

Follow-Up Period

We tracked juveniles in 1991 for two years, and we looked at the first five years of adulthood for offenders released in 1985.

Reoffense rates for juveniles released from facilities will vary, depending on the length of the follow-up period chosen. Programs may have short-term effects that wear off once the juvenile returns to the community and is subjected to peer influences and other familial and community pressures. Thus a six-month follow-up study will usually find less recidivism than a two year follow-up. On the other hand, studies have generally shown that juveniles who reoffend tend to do so rather quickly. Most of the studies from other states that we reviewed used follow-up periods of one to three years. We selected a two-year follow-up period for our sample of juveniles released in 1991. We chose juveniles released from residential treatment programs during 1991 because it allowed a two-year follow-up period while still reflecting the recent performance of those programs. For each juvenile in our sample, we based our analysis on the new offenses committed during the two-year period beginning on the date of release from the juvenile facility.

We were also interested in the effects of juvenile correctional programs on adult crime. One of the reasons that states place a high emphasis on treatment in juvenile facilities is the belief that criminal values are not yet entrenched in juveniles and that effective intervention can deflect juvenile delinquents from adult crime careers. We examined the adult criminal histories of juveniles released in 1985. This allowed us to examine the adult offense rates of nearly all program participants through their first five years of adulthood (ages 18 through 22). We also examined the extent to which offenders released from facilities in 1991 have committed crimes as adults. For this analysis, our follow-up period ranged from one to two years.

Characteristics of Facilities and Juveniles in Our Sample

In the Introduction of this report, we described how we selected facilities for our analysis of reoffense rates. Figure 3.2 provides a brief overview of each of the juvenile facilities, and Appendix D provides more detailed descriptions of their programs. Our sample included one adult correctional facility at St. Cloud, which houses many of the state's offenders who committed crimes while juveniles but were tried and convicted as adults. All of the seven remaining facilities primarily serve juveniles who have been adjudicated as delinquent, and they are among the largest such facilities in Minnesota. The sample includes a mix of facilities run by the state, counties, and private non-profit operators.

Aside from the St. Cloud prison, none of the facilities in our sample are surrounded by walls or fences in order to confine residents. However, all but Wood-

Figure 3.2: Juvenile Facilities Studied in Our Reoffense Analysis

Facility	Location	Licensed By	Operator (S = State C = County P = Private)	Capacity	1991 Average Length of Stay ^a (in days)	Program Comments
Minnesota Correctional Facility - Red Wing	Red Wing	DOC	S	103 (plus 25 secure beds)	236	Positive Peer Culture model
Minnesota Correctional Facility - Sauk Centre	Sauk Centre	DOC	S	107 (plus 20 secure beds)	198 (males) 88 (females)	Positive Peer Culture model, plus recently implemented a specialized program for sex offenders
Thistledew Camp	Near Togo	DOC	S	65	101	Includes wilderness survival program
Hennepin County Home School	Minnetonka	DOC	C	151 (plus 14 secure beds)	148 (males) 142 (females) 331 (sex offenders) 26 (short-term program)	Has specialized program for sex offenders, in addition to programs for person and property offenders
Boys Totem Town	St. Paul	DOC	C	65	164 (long-term program) 34 (short-term program)	Behavior modification model
Woodland Hills	Duluth	DOC ^b	P	48 (long-term program only)	243 (males) 263 (females)	Positive Peer Culture model
St. Croix Camp	Near Sandstone	DOC	P	100	92 (males) 90 (females)	Includes wilderness survival program

Source: Program Evaluation Division.

^aBased on residents released in 1991 for whom we were able to find offense history data in the Supreme Court's Statewide Judicial Information System. Averages include individuals who did not complete the treatment program.

^bLicensed by DHS until December 1994.

The Red Wing and Sauk Centre facilities must admit any offender committed to the Commissioner of Corrections by juvenile courts.

land Hills, Thistledew Camp, and St. Croix Camp have some secure rooms or buildings that can be used for juveniles who violate facility rules or are difficult to control. Two of the facilities that we visited (St. Croix Camp and Thistledew Camp) are located in remote, wooded locations, while the others are near residential areas.

Two of the facilities—at Red Wing and Sauk Centre—must admit all offenders committed to the Commissioner of Corrections by juvenile courts. Even if these facilities' available living units are operating at capacity, they cannot refuse to admit committed juveniles. The two county facilities (Hennepin County Home School and Totem Town) primarily serve offenders from their own counties and must admit all offenders committed by their counties' juvenile courts. However, the courts in these counties have the option of sending offenders to other facilities. As we discuss in chapters 2 and 4, Hennepin and Ramsey County officials told us that they send some of their more serious offenders to facilities in other states that they perceive as being more effective, more secure, or less expensive than Minnesota facilities. The remaining facilities in our sample (Woodland Hills, Thistledew Camp, and St. Croix Camp) can be more selective about whom they admit and are

less likely to admit violent or disruptive offenders, among others. Staff at Woodland Hills conduct interviews with all referred juveniles prior to deciding whether to admit them, while the other facilities generally do not.

We focused mainly on the "long-term" programs offered by facilities, or those programs exceeding two months. Two of the facilities in our sample (Red Wing and Sauk Centre) primarily base resident length of stay on Department of Corrections guidelines. These guidelines set a range of possible release dates, based on the number and severity of prior offenses.¹⁸ Hennepin County's juvenile court commits most offenders to the county's home school using county guidelines, and commitment times are based primarily on the number and severity of prior offenses. Two facilities (St. Croix Camp and Thistledeew Camp) have standard program lengths for nearly all residents (13 to 15 weeks), and these programs have the shortest average stays of any of the "long-term" programs in our sample. We also tracked residents released from two "short-term" programs--those lasting two months or less--at the Hennepin County Home School and Totem Town. These short-term programs are designed primarily to get offenders to experience direct consequences for their actions, and they provide limited counseling or treatment.

The facilities in our sample rely considerably on group-based treatment approaches.

Most of the juvenile facilities in our sample rely considerably on group-based approaches to get offenders to address their delinquency. Woodland Hills and the state facilities at Red Wing and Sauk Centre use an approach called "positive peer culture," which is discussed in Chapter 4. In this model, groups of juveniles identify and discuss their delinquent attitudes and behaviors, and, with staff guidance, group members help each other to solve daily problems or address underlying values. Totem Town uses a behavior modification program in which proper behaviors are rewarded with points, special privileges, and promotion to higher levels of the program. St. Croix Camp and Thistledeew Camp have nearly identical programs that are designed to build self-confidence and force juveniles to accept responsibility for their actions. Residents of these two programs earn privileges for good behavior and chop wood for rule violations, and they participate in an outdoor survival skills program at the conclusion of their stays. The Hennepin County Home School relies considerably on group counseling, although staff told us that they do not follow a single programmatic approach. The home school has a specialized program for sex offenders, which relies considerably on group therapy and typically lasts between one and two years--the longest program in our sample. Juveniles in all of the long-term programs spend five to six hours a day in school, with late afternoon and evening hours devoted to group sessions, individual counseling, work, recreation, and personal time.

Perhaps the most important differences in the facilities for purposes of our recidivism analysis are differences in the resident populations. A facility's recidivism rates may be affected by the backgrounds of the juveniles that it serves. As noted earlier, juveniles who have committed several prior offenses are more likely to reoffend than first-time offenders, although the likelihood of reoffense has been shown to level off after several court appearances (see Figure 3.1). For example, there may be relatively little difference in the likelihood of reoffending between a

¹⁸ The guidelines are followed by the department quite closely, as noted in Chapter 1, but they are advisory only.

juvenile petitioned for the fourth time and a juvenile petitioned for the seventh time.

Offenders at the Red Wing facility had more chronic and severe offense histories than those at other facilities.

Table 3.1 presents information on prior juvenile court delinquency petitions for each of the juvenile facilities in our sample. The table shows that the Minnesota Correctional Facility (MCF) at Red Wing had more chronic and more serious offenders than other facilities. Almost half of the Red Wing facility's juveniles had been petitioned for a violent felony and almost half had five or more felony petitions. The average Red Wing resident was petitioned for nearly 13 offenses prior to entering the facility.¹⁹ In addition, at least 30 percent of the boys at the Minnesota Correctional Facility at Sauk Centre, the Hennepin County Home School, and Boys Totem Town had been petitioned for violent felony offenses. Of these facilities, Totem Town had fewer boys with five or more felony petitions. The St. Croix Camp and Woodland Hills residents had the least extensive offense histories of any of the programs for boys that we examined. Generally, these profiles of facility populations are consistent with what we learned from interviews with facility and county staff.

Table 3.1: Prior Offenses of Juveniles Released in 1991 by Facility

Program	Number	Percent With Felony Delinquency Petition	Percent With Violent Felony Petition ^a	Percent Petitioned for Five or More Felonies	Average Number of Offenses Per Resident
MALE, LONG-TERM					
MCF-Red Wing	141	97%	48%	48%	12.8
MCF-Sauk Centre	130	92	30	32	10.1
Thistledeew Camp	172	77	21	12	5.6
Hennepin County Home School	149	97	38	20	8.3
Totem Town	109	77	34	10	9.6
St. Croix Camp	140	62	14	4	5.0
Woodland Hills	48	73	10	6	5.7
FEMALE, LONG-TERM					
MCF-Sauk Centre	11	90	0	9	8.8
Woodland Hills	12	67	17	0	3.6
Hennepin County Home School	29	59	28	3	6.0
St. Croix Camp	116	33	1	0	3.0
MALE, SHORT-TERM					
Hennepin County Home School	211	84	26	13	5.6
Totem Town	148	61	28	3	6.9
SPECIAL POPULATION					
Hennepin County Home School Sex Offender Program	22	91	91	27	4.4

Source: Program Evaluation Division analysis of State Judicial Information System data.

^aViolent felonies are murder, criminal sexual conduct, assault, robbery, and kidnapping.

¹⁹ Juveniles may be charged with more than one offense per petition.

In addition, Table 3.1 shows that male offenders in Hennepin and Ramsey Counties' short-term programs had less extensive criminal histories than boys in their full-length programs. Also, female offenders had less extensive delinquent histories than males at the same facilities.

Finally, Table 3.2 shows that, although the differences are not great, the Minnesota Correctional Facilities at Red Wing and Sauk Centre tended to admit older offenders and Red Wing offenders began their delinquent careers at an earlier age. Woodland Hills and St. Croix Camp tended to admit juveniles who were, on average, younger than those at the state and county run facilities.

Table 3.2: Age of First Offense and Age of Admission to Facility for Juveniles Released in 1991

<u>Program</u>	<u>Number</u>	<u>Average Age of Juveniles Admitted to Facility</u>	<u>Average Age at First Offense</u>
MALE, LONG-TERM			
MCF-Red Wing	141	16.8	13.5
MCF-Sauk Centre	130	16.7	13.9
Thistledeew Camp	172	16.3	14.5
Hennepin County Home School	149	16.1	13.8
Totem Town	109	16.1	14.0
St. Croix Camp	140	15.5	13.9
Woodland Hills	48	15.6	14.0
FEMALE, LONG-TERM			
MCF-Sauk Centre	11	16.8	14.5
Woodland Hills	12	15.5	14.7
Hennepin County Home School	29	16.2	14.0
St. Croix Camp	116	15.3	14.5
MALE, SHORT-TERM			
Hennepin County Home School	211	16.4	14.5
Totem Town	148	16.2	14.3
SPECIAL POPULATION			
Hennepin County Home School Sex Offender Program	22	16.0	14.0

Source: Program Evaluation Division analysis of State Judicial Information System data.

REOFFENSE RATES FOR JUVENILES RELEASED IN 1991

As we noted earlier, an experimental design where subjects are randomly assigned to a treatment group or an untreated control group is the best way to evaluate treatment effectiveness. Random assignment permits researchers to control for juvenile characteristics that may affect recidivism. However, random assignment is not always a practical research approach in the case of correctional programs that

The study was not able to isolate the effects of individual programs on juvenile behaviors.

serve to protect society as well as treat offenders, and we did not attempt to conduct such a study. Thus, while we can report reoffense rates for juveniles at different facilities, we do not know how many of these juveniles would have reoffended with another type of program or with no program at all. Nevertheless, we think that a study of reoffense rates can provide a useful benchmark for evaluating the extent to which juveniles change their behavior following lengthy, and often costly, stays in residential facilities.

Readers should be cautious about drawing conclusions on the comparative effectiveness of residential facilities that serve juveniles with different delinquent histories. State residential facilities are one link in the juvenile justice chain. By the time juvenile offenders reach these facilities, many have experienced multiple interventions and placements at the community level. Chronic and serious offenders may have previously received services from probation officers, court diversion programs, youth service agencies, mental health centers, outpatient treatment programs, alternative school programs, group or foster homes, and county residential facilities. In the previous section, we described differences in the typical youth served by each program to help readers place our recidivism findings in proper perspective. In addition, many of the juveniles in our sample had been through several residential or nonresidential programs during their adolescence.²⁰ This study was not able to separate the effects of multiple programs and treatment efforts on juveniles' behaviors. Therefore, the results presented here probably reflect the outcomes of a wide variety of residential and nonresidential services, not just the outcomes of the most recent programs that the offender had completed.

Finally, we urge readers to consider that treatment takes place in the context of the larger community. Programs may be effective in changing attitudes and behavior while a juvenile is at a facility, but the change may not be enough to overcome peer influences and limited opportunities when the juvenile returns home. In some cases, recidivism may not reflect lack of effort by a facility, but the strength of opposing forces in juveniles' lives. Recidivism may also reflect a lack of community services for juveniles after they leave facilities, which we discuss in Chapter 4.

Comparison Among Minnesota Facilities

Most corrections researchers prefer to measure recidivism using arrests (or juvenile court petitions) rather than convictions. Arrest data can be biased by instances in which the police arrest juveniles for offenses they did not commit, perhaps leading to subsequent dismissal of the case or acquittal. However, most researchers believe that unwarranted arrests are less common than diversions or plea bargains following arrests. These actions can result in guilty offenders not coming to court or being convicted of a less serious offense than they actually

²⁰ Some juveniles were served by more than one of the facilities in our sample in 1991. These juveniles were counted twice, once for each facility that treated them, with the two-year follow-up period for each facility based on its release date. A few other juveniles were treated and released from the same treatment program twice in 1991. We counted them once, using the later release date as the beginning of the follow-up period.

committed. Table 3.3 shows several recidivism measures for juveniles released from our sample of facilities in 1991. We found that:

- **Most juveniles were petitioned for new offenses (or arrested as adults) within two years of their release from a residential facility.**

Among the different programs, between 53 and 77 percent of male juveniles and between 41 and 58 percent of female juveniles received new delinquency petitions or were arrested as adults within two years. The percentage of juveniles who were adjudicated as delinquent or convicted as adults ranged from 38 to 62 percent for programs serving males and 27 to 50 percent for programs serving females.

Table 3.3: Two-Year Reoffense Rates for Juveniles Released in 1991, by Facility

Program	Number	Percent With Delinquency Petition or Adult Arrest	Percent Adjudicated Delinquent or Convicted as Adult	Percent With Felony Petition or Arrest	Percent Petitioned for Five or More Felonies	Number of Offenses Per Juvenile
MALE, LONG-TERM						
MCF-Red Wing	141	71%	62%	62%	18%	3.8
MCF-Sauk Centre	130	65	48	53	16	3.7
Thistledew Camp	172	53	38	37	6	2.3
Hennepin County Home School	149	76	59	62	8	3.2
Totem Town	109	77	61	51	9	3.6
St. Croix Camp	140	76	59	49	4	2.9
Woodland Hills	48	63	48	54	8	2.6
FEMALE, LONG-TERM						
MCF-Sauk Centre	11	46	27	36	9	1.7
Woodland Hills	12	58	50	33	0	1.0
Hennepin County Home School	29	41	31	31	0	1.4
St. Croix Camp	116	55	41	20	0	1.3
MALE, SHORT-TERM						
Hennepin County Home School	211	72	53	52	5	2.5
Totem Town	148	76	63	53	4	2.9
SPECIAL POPULATION						
Hennepin County Home School Sex Offender Program	22	36	27	32	0	1.1

Source: Program Evaluation Division analysis of State Judicial Information System and Bureau of Criminal Apprehension data.

By most measures, offenders released from the Red Wing facility had the highest rates of reoffense.

We found that offenders released from the Red Wing facility had the highest reoffense rates by most of the measures we used. For example, 18 percent of offenders released from Red Wing were petitioned or arrested for five or more felony offenses during the follow-up period. These findings may reflect the fact that Red Wing admitted more serious and chronic offenders than the other facilities we examined. We also found that a lower percentage of juveniles released from Thistledew Camp were rearrested or reconvicted than at Woodland Hills or St. Croix Boys Camp, facilities whose residents had similar offense backgrounds.

In addition, table 3.3 shows that the percentage of boys released from county short-term programs who were subsequently petitioned or arrested was only slightly less than the percentages for those released from the long-term programs at these facili-

ties. For the long-term programs, 77 percent of the juveniles released from Boys Totem Town and 76 percent of the juvenile males released from Hennepin County Home School were petitioned as juveniles or arrested as adults within two years of release. For the short-term programs, 76 percent of the Totem Town and 72 percent of the Home School short-term juveniles were petitioned or arrested within two years of release.

Table 3.4 shows the types of offenses committed by juveniles within two years of release. We found that:

- **More juveniles committed property crimes than violent crimes after release.**

Table 3.4: Types of Offenses For Which Juveniles Released in 1991 Were Petitioned or Arrested, by Facility^a

<u>Program</u>	<u>Percent of Offenders Petitioned as Juveniles or Arrested as Adults for:</u>		
	<u>Violent Crime</u>	<u>Property Crime</u>	<u>Other Crime^b</u>
MALE, LONG-TERM			
MCF-Red Wing	32%	52%	37%
MCF-Sauk Centre	27	55	32
Thistledeew Camp	19	42	27
Hennepin County Home School	34	54	38
Totem Town	25	57	49
St. Croix Camp	28	58	39
Woodland Hills	19	52	31
FEMALE, LONG-TERM			
MCF-Sauk Centre	9	46	9
Woodland Hills	8	42	17
Hennepin County Home School	21	38	24
St. Croix Camp	16	37	29
MALE, SHORT-TERM			
Hennepin County Home School	26	51	39
Totem Town	34	54	51
SPECIAL POPULATION			
Hennepin County Home School			
Sex Offender Program	18	18	14

Source: Program Evaluation Division analysis of State Judicial Information System and Bureau of Criminal Apprehension data.

^aIncludes all juvenile delinquency petitions and adult felony and gross misdemeanor arrests within two years of release.

^bIncludes drug and alcohol offenses, escape from custody, fleeing a police officer, driving without a valid license, weapons possession, disorderly conduct, and other minor offenses. Excludes most traffic offenses.

Only 1 of 22 offenders released from the Hennepin County Home School's sex offense program committed a new sex offense within two years of release.

For most programs, between 52 and 58 percent of males released in 1991 were petitioned or arrested for at least one property offense within two years of release. The one exception was Thistledew Camp, where only 42 percent of released juveniles committed property offenses. Also, Thistledew Camp and Woodland Hills had lower percentages of juveniles who committed violent crimes after release (19 percent) than the other programs for male offenders.

We also looked at the types of new offenses committed by sex offenders in the program at the Hennepin County Home School specially designed for this population. We found that 4 of the program's 22 juvenile sex offenders (18 percent) committed violent crimes within two years of release, but only 1 of these (5 percent) was for a sex offense. This was for sexual contact (without penetration) with a family member under 13 years old. The other three offenders were arrested for assault, and one of them was acquitted. Our sample was small and the follow-up period was less than needed for a thorough review of sex offender treatment effectiveness, but these results fall within the range of results reported in other studies of sex offender treatment programs.²¹ In addition, a more extensive study of court records for 193 sex offenders released from this program over a nine-year period found that only six percent were convicted of sex offenses during follow-up periods of varying lengths.²²

As one way of taking into account differences in juvenile populations, we looked at rearrest rates for juveniles who had extensive or violent delinquent histories prior to their placements.²³ Table 3.5 presents rates of arrest or petition for juvenile males who had five or more offenses prior to placement in the residential pro-

Table 3.5: Two-Year Reoffense Rates for Juvenile Males Released in 1991 With Five or More Previous Offenses

Program	Number	Percent With Felony Petition or Arrest	Number of Felony Offenses Per Juvenile	Percent With Any Petition or Arrest	Number of Total Offenses Per Juvenile
MCF-Red Wing	117	64%	2.7	72%	4.1
MCF-Sauk Centre	102	56	2.0	72	4.2
Thistledew Camp	78	45	1.3	60	3.1
Hennepin County Home School	98	68	1.8	82	3.6
Totem Town	89	53	1.8	78	3.8
St. Croix Boys Camp	54	46	1.2	72	3.5
Woodland Hills	24	63	2.0	71	3.4

Source: Program Evaluation Division analysis of State Judicial Information System and Bureau of Criminal Apprehension data.

²¹ For a discussion of sex offender treatment effectiveness, see Office of the Legislative Auditor, *Sex Offender Treatment Programs* (St. Paul, July 1994), 37-41.

²² Bremer, Janis F., "Serious Juvenile Sex Offenders: Treatment and Long-Term Follow-Up," *Psychiatric Annals* (June 1992), 326-332.

²³ The correlation between the number of prior juvenile offenses before admission and the number of juvenile and adult offenses within two years of release was 0.30. The correlation between the number of felony offenses before and after was 0.24. Both were statistically significant at $p < .001$.

gram from which they were released in 1991. It shows that, among boys with five or more prior offenses, juveniles released from Thistledeew Camp were less likely to reoffend (60 percent) than juveniles from other facilities (71 to 82 percent). Among this population of offenders, males from Thistledeew and St. Croix Camp were less likely to commit felonies within two years after their release than males released from other facilities.

Table 3.6 shows the rates of adult arrest or juvenile petition among males who had at least one delinquency petition for a violent offense prior to their placement in a juvenile facility. It shows that a smaller percentage of juveniles released from Thistledeew and Woodland Hills with a prior history of violent crime committed new felonies or new violent felonies within two years of their release.

Table 3.6: Two-Year Reoffense Rates for Juvenile Males Released in 1991 With Previous Violent Felony Offense

Program	Number	Percent With Violent Felony Petition or Arrest ^a	Percent With Any Felony Petition or Arrest	Percent With Any Violent Offense Petition or Arrest	Number of Violent Offenses Per Juvenile	Number of Total Offenses Per Juvenile
MCF-Red Wing	68	32%	57%	34%	0.9	2.8
MCF-Sauk Centre	39	23	51	28	0.7	3.2
Thistledeew Camp	36	11	44	28	0.4	3.5
Hennepin County Home School	56	30	66	38	0.9	3.4
Totem Town	37	27	54	41	1.1	3.9
St. Croix Boys Camp	20	25	70	35	0.7	3.0
Woodland Hills	5	0	40	0	0.0	2.2

Source: Program Evaluation Division analysis of State Judicial Information System and Bureau of Criminal Apprehension data.

^aViolent felonies are murder, criminal sexual conduct, assault, robbery, and kidnapping.

Juveniles who began their delinquency at an early age tended to commit more offenses prior to admission and after release.

While Tables 3.5 and 3.6 provide useful information, they do not conclusively indicate whether some facilities--such as Thistledeew Camp--were more effective than others in dealing with serious and chronic offenders. Our measures of past behavior are imperfect indicators of the amenability of individual offenders to treatment. For example, facilities that serve more urban residents--such as the Hennepin County Home School, Totem Town, and Red Wing--probably serve more juveniles with gang affiliations. Staff told us that gang members sometimes have delinquent values that are more entrenched than other offenders, and they may have more negative peer influences when they return home. Also, the state and county facilities served more offenders with substantially more than five prior offenses, and this may partly explain their higher reoffense rates.

We found an inverse relationship between the age of the juvenile's first offense and the number of offenses committed both prior to admission and within two years after release from the facility. Juveniles who began their delinquent careers at an earlier age tended to have more offenses prior to admission and were more likely to reoffend after release.²⁴

²⁴ The correlation between the age of first juvenile court petition and the number of offenses prior to admission was -0.42. The correlation between the age of first juvenile court petition and the number of offenses after release was -0.22. Both were statistically significant at $p < .001$.

Finally, we compared the reoffense rates of juveniles who had completed the programs to which they were admitted with juveniles who were released from facilities before completing their programs. Table 3.7 compares rearrest rates for completers and non-completers in four programs that had at least 10 non-completers.²⁵ It shows that, for the most part, non-completers were more likely to be arrested than completers, but the differences were not large. The difference was largest in St. Croix Boys Camp.

Table 3.7: Two-Year Reoffense Rates for Juvenile Males Released in 1991, by Program Completion

Program	Number	Completers:		Number	Non-Completers:	
		Percent With Felony Petition or Arrest	Percent With Any Petition or Arrest		Percent With Felony Petition or Arrest	Percent With Any Petition or Arrest
Thistledeew Camp	154	36%	53%	18	39%	61%
Hennepin County Home School	126	60	76	23	74	74
Totem Town	81	51	74	28	54	86
St. Croix Boys Camp	125	46	73	15	73	100

Source: Program Evaluation Division analysis of State Judicial Information System and Bureau of Criminal Apprehension data.

Comparison to Recidivism Rates in Other States

As noted earlier, the best studies of the impact of juvenile programs are those which randomly assign offenders to either a treatment program or to a setting without treatment. This type of "experimental" approach allows researchers to study whether juveniles who have been through a program behave differently from a similar but untreated "control group" of offenders. Our study did not include control groups, so it is difficult to evaluate the extent to which these juveniles would have reoffended without services at Minnesota's residential facilities.

We reviewed research literature to see if there was any consensus on previously-documented rates of juvenile reoffense. In 1967, a national task force on corrections concluded that "most experts agree that about half of the persons released from juvenile training facilities can be expected to be reincarcerated."²⁶ Twenty-five years later, a comprehensive review of the more carefully conducted juvenile studies found that the average reoffense rates of juveniles who received some particular treatment or services was about 45 percent, and the average reoffense rates of comparison groups that did not receive these services

²⁵ We considered all released residents of the Red Wing and Sauk Centre facilities to have completed their programs. According to Department of Corrections staff, these facilities generally do not release offenders until they demonstrate progress toward goals or turn age 19. Some other programs in our sample had too few non-completers to permit meaningful analysis.

²⁶ President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: Corrections* (Washington, D.C., 1967), 142.

Most recent studies of similar programs in other states have found two-year reoffense rates above 50 percent.

was about 50 percent.²⁷ The author of this analysis told us that his finding represents an average recidivism rate from among a variety of types of residential and nonresidential programs, and he said that he would expect residential programs for serious adjudicated offenders to have higher average rates of recidivism than the overall rate of 45 percent. He also estimated that the average follow-up period in the studies he reviewed was about six months, so studies with longer follow-up periods would be expected to show higher recidivism rates.

To consider programs with more comparable populations to those in our sample, we looked at the findings of selected recent studies. Appendix B summarizes the findings of these studies. Most found rearrest or reconviction rates above 50 percent after two years, with rates of reincarceration in a juvenile or adult facility usually below 50 percent. Comparing these results to our findings on Minnesota's reoffense rates, presented in Table 3.3, we concluded that:

- **Recidivism rates for juveniles released from Minnesota's residential facilities are within the broad range of rates reported for residential programs in other states.**

For example, Pennsylvania's study of juvenile males released in 1984 from residential facilities found that only 31 percent were reconvicted within two years of release. On the other hand, a 1982 study of males released from Washington state correctional facilities found that 73 percent were reconvicted after two years. Other studies reported results within this broad range. As shown earlier in Table 3.3, two-year reconviction rates for males in Minnesota varied from 38 to 62 percent among the residential programs we reviewed.

RECIDIVISM RATES AS ADULTS

Juveniles are placed in residential facilities, in part, in the hope that treatment programs will deflect many of them from adult criminal careers. Thus, many people believe that even if juveniles reoffend in the short term, they may internalize program goals and become law-abiding citizens as adults. Also, many people believe that the threat of criminal sanctions in adult courts stops some juveniles from continuing their offense careers into adulthood. Using the Bureau of Criminal Apprehension's (BCA) criminal history files, we tracked adult criminal histories through age 22 for juveniles released in 1985 from Red Wing, Sauk Centre, Thistledeew, Woodland Hills and St. Croix Camps. The Hennepin County Home School and Ramsey County's Boys Totem Town were unable to provide a list of juveniles released in 1985. By choosing 1985, we were able to track all but two of nearly 800 released offenders to their twenty-third birthday.²⁸ We also looked at rates of adult arrest for male juveniles who were age 17 or older when they were released

27 Mark W. Lipsey, "Juvenile Delinquency Treatment: A Meta-Analytic Inquiry into the Variability of Effects," in *Meta-Analysis for Explanation: A Casebook*, ed. Thomas D. Cook et al. (New York: Russell Sage Foundation, 1992), 83-127. The control groups in these studies may have received some services, but not the treatment or services under study.

28 In those two cases, the juveniles were under 14 years old when they were released and had not yet turned 23 when we conducted our research.

in 1991. For this analysis, the follow-up period varied from one to two years, depending on the age at release.²⁹

All of the facilities that we examined have made some program changes since 1985. For example, the Sauk Centre facility implemented a positive peer culture program in 1990 to improve the climate among facility residents. Because of changes such as this, readers should be cautious when interpreting reoffense rates for juveniles.

Juveniles Released in 1985

Table 3.8 presents several measures of recidivism, ranging from arrest to incarceration in a state prison.³⁰ In general, we found that:

- The state's juvenile treatment programs at Red Wing and Sauk Centre did not deflect the vast majority of residents released in 1985 from adult criminal activities. Offenders released from Thistledeew Camp, Woodland Hills, and St. Croix Boys Camp had lower recidivism rates, but most of their program participants also committed crimes as adults.

Table 3.8: Five-Year Adult Offense Rates for Offenders Released From Juvenile Correctional Facilities in 1985

Program	Number	Percent Arrested	Percent Arrested for Felony	Percent Convicted of Felony	Percent Convicted of Five or More Felonies	Percent Sent to Prison ^a
MALE, LONG-TERM						
MCF-Red Wing	133	91%	89%	87%	32%	76%
MCF-Sauk Centre	86	91	85	78	23	58
Thistledeew Camp	179	60	51	35	8	25
Woodland Hills	44	61	57	48	7	23
St. Croix Camp	152	58	49	38	7	20
FEMALE, LONG-TERM						
MCF-Sauk Centre	5	80	80	80	0	40
Woodland Hills	19	21	11	5	0	0
St. Croix Camp	154	25	18	6	0	1

Source: Program Evaluation Division analysis of Bureau of Criminal Apprehension data.

^aIncludes those sentenced immediately to prison and those given a stayed prison sentence who later had their probation revoked.

²⁹ Juveniles released on their seventeenth birthday were adults for only one year of our two year follow-up period. Juveniles 18 or older at the time of release were adults for the full two-year follow-up period.

³⁰ Table 3.8 does not include arrests from other states and Minnesota arrests that were unaccompanied by a fingerprint card. In addition, some BCA arrest records did not provide information on subsequent court actions. We assumed that those cases were dropped, but it may be that the information was not forwarded to BCA. We also found some offense codes that did not specify whether the offense was a felony or gross misdemeanor. We conservatively reported those offenses as gross misdemeanors. Finally, while most offenders reoffended within five years, we found some whose first offense occurred after age 23. Those reoffenses sometimes resulted in convictions and imprisonment, but they are not reflected in our table.

Over 90 percent of males released from the Red Wing and Sauk Centre facilities had adult arrests by their 23rd birthdays, and 85 to 89 percent were arrested for felonies.

As noted above, juveniles released from the Red Wing and Sauk Centre facilities came to these programs with more extensive delinquent histories than juveniles at other facilities. For the most part, juveniles at Red Wing and Sauk Centre had failed prior attempts at treatment, often in other residential facilities. Nevertheless, the reoffense rates reported in Table 3.8 are, in our view, particularly striking. Over 90 percent of the male offenders released from the Red Wing and Sauk Centre facilities had adult arrest records by their 23rd birthday, and 85 to 89 percent were arrested for a felony. Furthermore, 87 percent of the Red Wing juveniles and 78 percent of the Sauk Centre males released in 1985 had been convicted of at least one adult felony by the time they were 23 years old, and many had been convicted of five or more felonies. Over three-fourths of the Red Wing offenders released in 1985 and almost three-fifths of the Sauk Centre males released in 1985 were sent to prison for an offense committed before their 23rd birthdays. If we include adult arrests past age 23, 97 percent of Red Wing and 95 percent of Sauk Centre males released in 1985 had an adult arrest record by the summer of 1994, when we completed our research.

As noted earlier, Thistledeew Camp, Woodland Hills, and St. Croix Camp admit juveniles who, on average, have less extensive delinquent histories than juveniles committed to Red Wing and Sauk Centre. Nevertheless, about 60 percent of the boys released from these facilities had adult arrest records and over half were convicted of an adult crime before age 23. As Table 3.8 shows, 35 percent of the Thistledeew males, 38 percent of the St. Croix males, and 48 percent of the Woodland Hills males were convicted of a felony by their 23rd birthday, and 20 to 25 percent were sentenced to prison.

We found that, for all facilities, juveniles released in 1985 committed more property crimes such as burglary and theft as adults than violent crimes or other felonies. For the entire 1985 sample, 36 percent were convicted of at least one property felony by their 23rd birthday, 16 percent were convicted of at least one violent felony, and 21 percent were convicted of at least one other felony such as possession of illegal drugs. Juveniles released from Red Wing and Sauk Centre were about twice as likely to commit violent felonies (murder, assault, criminal sexual conduct, and robbery) as adults than were juveniles released from the other facilities.³¹

Two of the facilities, Thistledeew and Woodland Hills, were able to tell us whether or not offenders released in 1985 had completed their treatment programs. We found that:

- Males released in 1985 without completing their programs were more likely to commit crimes as adults than males who completed treatment.

For example, 61 percent of the Thistledeew males and 60 percent of the Woodland Hills males who failed to complete their treatment program were convicted of a felony by age 23, but only 30 percent of the Thistledeew males and 41 percent of

³¹ Thirty-seven percent of Red Wing juveniles and 29 percent of Sauk Centre males released in 1985 were convicted of violent felonies as adults before their 23rd birthday, compared with 15 percent for St. Croix Boys Camp and 11 percent for both Thistledeew and Woodland Hills males.

the Woodland Hills males who completed treatment were later convicted of an adult felony. Similarly, 54 percent of the Thistledeew non-completers and 40 percent of the Woodland Hills non-completers were sent to prison for crimes committed before their 23rd birthday, compared with 19 percent of the Thistledeew completers and 14 percent of the Woodland Hills completers. This does not necessarily indicate that completion of a program will lead to lower rates of recidivism. For example, it is possible that the non-completers were more difficult offenders who would have been more likely to offend even if they had completed a program.

Our findings seem to show a stronger relationship between juvenile and adult crime than has been previously reported. There have been relatively few studies that have examined whether patterns of delinquency carry over into adulthood. However, long-term studies of crime among people born in Racine, Wisconsin in 1942, 1949, and 1955 provide some basis for comparison. Among those juveniles who were found to have "continuous" delinquent activities before age 18, the percentage arrested for felonies as adults ranged from 17 percent for the juveniles born in 1942 to 38 percent for the juveniles born in 1955.³² The study found that, "The most prevalent pattern of delinquent behavior is one of declining seriousness and discontinuation after the teen-age period."³³ In addition, the rates of adult offense that we found for youth released from Red Wing and Sauk Centre appear to be higher than the reoffense rates of young adult prison parolees in other states, as reported later in this chapter.

Juveniles Released in 1991

State and county facilities--which tend to serve more serious offenders--had the highest reoffense rates.

We looked at rates of adult offense for males age 17 or older who were released from juvenile facilities in 1991. The period during which we tracked these offenders as adults varied from one to two years, depending on their age at release. Table 3.9 presents the percent of juveniles who committed crimes as adults. It shows that, among male juveniles who were at least 17 years old when released, over half of the Red Wing juveniles were arrested for felonies as adults. Among male juveniles released from Sauk Centre, the Hennepin County Home School, Totem Town, and Woodland Hills, 40 percent or more were arrested for felonies as adults.³⁴ Fewer than 20 percent of the offenders released from Thistledeew and St. Croix Boys Camp were arrested for felonies as adults. Over one-fourth of the Red Wing juveniles and over 10 percent of the Sauk Centre and Totem Town juveniles were sent to prison during the follow-up period.³⁵

32 U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, *Assessing the Relationship of Adult Criminal Careers to Juvenile Careers* (Washington, D.C., June 1982), 191-212.

33 U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, *Assessing the Relationship of Adult Criminal Careers to Juvenile Careers: A Summary* (Rockville, MD, 1982), v.

34 These figures exclude the short-term programs at the Hennepin County Home School and Totem Town, and they exclude the Home School's sex offender program.

35 This includes those sentenced to prison and those given probation with a stayed prison sentence who later had their probation revoked.

Table 3.9: Rates of Adult Crime For Juvenile Males Released in 1991 Who Were Age Seventeen or Older at Time of Release

Program	Number	Percent With Adult Arrest	Percent With Adult Felony Arrest	Percent With Adult Felony Conviction	Percent Serving Prison Sentence	Adult Offenses Per Juvenile
MCF-Red Wing	101	61%	53%	42%	28%	2.1
MCF-Sauk Centre	81	44	40	30	12	1.3
Thistledew Camp	71	21	17	10	3	0.5
Hennepin County Home School	48	54	44	21	6	1.3
Totem Town	45	49	40	24	11	1.4
St. Croix Boys Camp	22	27	14	9	0	0.6
Woodland Hills	12	42	42	17	0	0.8

Source: Program Evaluation Division analysis of Bureau of Criminal Apprehension data.

The 1991 rates of adult offense reported in Table 3.9 are lower than the two-year rates of adult offense that we found for the sample of juveniles released in 1985. For example, 83 percent of the Red Wing juveniles and 66 percent of the Sauk Centre males released in 1985 had already been arrested for a felony by their 20th birthday. Likewise, 45 percent of Woodland Hills males, 41 percent of St. Croix males, and 39 percent of Thistledew males released in 1985 had already been arrested for a felony by their 20th birthdays.

CERTIFIED ADULTS RELEASED FROM ST. CLOUD

We tracked offense rates for juvenile offenders sent to prison.

Juveniles age 14 or older who have committed felony-level offenses can be "tried as adults" by criminal courts. For this to occur, a juvenile court must certify the proceeding to district court for action under criminal laws. Juveniles certified as adults and sentenced to prison are usually sent to the Minnesota Correctional Facility at St. Cloud, which specializes in inmates under 25 years old.³⁶ We tracked certified offenders released from St. Cloud in 1985 for five years after their release, and we tracked offenders released in 1991 for two years. We limited our analysis to certified offenders who were completing their first prison sentence. The results of our analysis are presented in Table 3.10. In general, we found that:

- **Most certified adults released from the Minnesota Correctional Facility at St. Cloud continued to commit serious crimes after their release.**

Eighty-nine percent of certified adults released from St. Cloud in 1985 were convicted of a felony within five years, and most of them returned to prison. The recidivism rate for those released in 1991 was lower, but the follow-up period was

³⁶ Occasionally, certified juveniles requiring extra security or those whose safety is at risk in St. Cloud are sent to another state correctional facility.

Table 3.10: Recidivism Rates for Certified Adults Released From the Minnesota Correctional Facility at St. Cloud in 1985 and 1991

<u>Year of Release</u>	<u>Number</u>	<u>Follow-Up Period</u>	<u>Percent Subsequently Convicted of Felony</u>	<u>Percent Returned to Prison</u>
1985	19	5 Years	89%	84%
1991	34	2 Years	62	53

Source: Program Evaluation Division analysis of Bureau of Criminal Apprehension data.

Among imprisoned offenders, Minnesota seems to have higher recidivism than other states.

only two years. Still, 62 percent of the offenders released in 1991 were subsequently convicted of a felony and over half returned to prison. These rates are higher than the reimprisonment rates for the state adult correctional system as a whole. According to the Department of Corrections, about 33 percent of all prisoners released from Minnesota prisons return to prison within two years.³⁷ Department of Corrections officials told us that certified adults have proven to be some of the most dangerous and predatory inmates in the correctional system. According to department officials, these offenders are not intimidated by an adult prison and are continually a source of antagonistic and disruptive behavior.

Our findings indicate a higher recidivism rate for youth certified as adults in Minnesota than reported for young imprisoned offenders elsewhere, although there may be differences in the characteristics of offenders in other states. A U.S. Department of Justice study reviewed the rates of reoffense for parolees ages 17 to 22 released in 1978 from the prisons of 22 states.³⁸ These parolees included persons who were sent to prison for crimes committed when under age 18, as well as parolees who were imprisoned for crimes committed as adults. The study found that about 47 percent of ex-prisoners were rearrested and 32 percent were reconvicted within two years of release. It also found that 66 percent of these young parolees were rearrested and 51 percent were reconvicted within five years. In general, ex-prisoners who were younger at the time of their parole and those who were arrested for adult offenses at an earlier age had higher rates of reoffense.

Our findings underscore the need for ongoing evaluation of Minnesota's new "extended jurisdiction juvenile" law. Under this law, certain juveniles can receive both a juvenile and an adult sentence from the court. The adult sentence is stayed unless the juvenile commits an offense or violates parole or probation. The law is partly based on the assumption that the threat of adult sanctions will discourage recidivism. Our findings for certified adults suggest that these offenders—who have

³⁷ Minnesota Department of Corrections, *1994 Annual Performance Report* (St. Paul, 1994), 7. This is roughly equal to the national average, reported in Bureau of Justice Statistics, *Recidivism of Prisoners Released in 1983: Special Report* (Washington, D.C., March 1989), 2-3.

³⁸ U.S. Department of Justice, Bureau of Justice Statistics, *Recidivism of Young Parolees: Special Report* (Washington, D.C., May 1987).

been in prison and know that they may return to prison for new offenses—still reoffend at relatively high rates.

SUMMARY

For those who have expected that programs at residential facilities could help turn a large portion of delinquent juveniles into law-abiding citizens, our results are discouraging. We found that the majority of juveniles released from residential treatment facilities in 1985 and 1991 continued to offend after their release and a large percentage became adult felony offenders. Recidivism rates were higher for state and county facilities, perhaps because they tended to serve juveniles with more extensive delinquent histories. Minnesota's two-year reoffense rates for juveniles released in 1991 were within the very wide range of results reported in studies from other states. However, Minnesota juveniles in the residential facilities we examined appear to have continued criminal activity into adulthood at very high rates. At two state-run facilities that serve some of Minnesota's most serious and chronic offenders, nearly all offenders released in 1985 have been subsequently arrested for offenses as adults.

In the absence of a control group, we do not know how many of the juveniles released from the programs we studied would have offended had they received treatment somewhere else or not at all. However, our findings suggest that some of Minnesota's most-used residential programs have shown a limited ability to change entrenched criminal values and behavior patterns among juveniles.

Juvenile residential facilities are one component of the juvenile justice system. Juveniles are usually placed in residential facilities after community efforts to change delinquent behavior have failed. For this reason, perhaps it is unreasonable to expect that residential facilities, by themselves, can turn delinquents into law abiding citizens. In Chapters 4 and 5, we suggest that the state may wish to explore program improvements, or it may wish to consider alternative approaches to juvenile corrections and crime prevention. Without better research, however, we cannot say whether alternative approaches will be any more successful than current efforts.

Other Observations About Out-of-Home Placements

CHAPTER 4

The 1994 Legislature's request for this study expressed interest in "subjective" measures of effectiveness from county staff.¹ For this reason, our study supplemented measures of reoffense with the impressions of county staff who help to place offenders in facilities, as measured by two surveys. In addition, we have used counties' observations about the characteristics of "good" facilities to explore specific aspects of facility performance and evaluate service needs. We asked:

- What do county corrections and social services staff think about the adequacy of Minnesota's system of residential facilities? What do they think about individual facilities?
- Do facilities offer programs that meet the individual needs of offenders?
- How long do offenders stay in residential facilities, and do they have access to sufficient community services after their release?
- Have facilities kept residents from running away or causing harm to themselves or others?
- Do facilities adequately meet the needs of non-white juveniles?

To answer these questions, we surveyed each county's juvenile correctional supervisor and social service director, and we suggested that they consult with their probation and social services staff as they completed the surveys. We received responses from 96 percent of the correctional supervisors and 92 percent of the social service directors.² Appendix C contains a summary of our survey results. It would be difficult to independently verify some of the observations made by counties in the surveys and, in many cases, we have not tried to do so. Department of Corrections officials told us that most of the county officials we surveyed have not visited their facilities and, as a result, might not have accurately assessed facility services. As noted in Chapter 2, county staff themselves said that they would like to have better information on facility programs and their effectiveness. Neverthe-

¹ *Minn. Laws* (1994), Ch. 576, Sec. 63.

² The response rate for the social service directors excludes from the total possible responses six directors who told us that their units rarely work on placement issues for juvenile offenders.

less, county staff work directly with juvenile offenders, help courts to make placements, and monitor the services provided to juveniles. For this reason, we think their comments should be given serious attention.

Overall, county staff told us that residential facilities in Minnesota should work more closely with the families of offenders and provide more individualized services. While county officials are generally satisfied with most of the facilities that they use regularly, the programs operated by the Department of Corrections at Red Wing and Sauk Centre were the source of more concerns than others on which counties offered opinions. In addition, county officials think there is a need for their communities to offer more structured activities, nonresidential treatment programs, and other direct services for juveniles, which they think will help juvenile offenders to stay out of further trouble.

COUNTY OBSERVATIONS ON INDIVIDUAL FACILITIES

We selected 27 of the larger facilities that serve juvenile offenders in Minnesota and asked county staff to rate their overall level of satisfaction with the facilities which they have used recently.³ Table 4.1 shows the level of satisfaction with those facilities that were rated by at least 10 county officials. As we expected, the facility ratings generally indicated more satisfaction than dissatisfaction. In part, this reflects the fact that the courts tend to avoid placing juveniles in facilities with which county staff have been dissatisfied in prior experiences.

We also asked county officials to list up to three facilities that have provided them with the most effective services and three facilities that have provided the least effective services. For each of the programs so identified, we asked county staff to indicate the characteristics of the programs that they liked or disliked. In general, counties said that the facilities they preferred:

- Held juveniles accountable for their actions and forced them to confront their problems;
- Were willing to admit difficult offenders and had staff who would "go the extra mile" with them once in the program;
- Worked with the families of offenders;
- Had good aftercare programs or good discharge planning;
- Communicated effectively and honestly with county staff;
- Provided services and treatment that were flexible, individualized, clearly-focused, "no nonsense," realistic, and culturally sensitive;

³ We asked counties not to rate facilities where they had placed two or fewer residents in the past three years or where they did not think they had sufficient experience to offer a judgment.

We asked county officials to rate residential facilities they have used recently.

**Table 4.1: Ratings of Individual Residential Facilities by County
Corrections and Social Services Officials**

Facility, Location, Licensing Agency	Number of Survey Respondents Who Said They Were:					Number of Survey Respondents Who Rated the Facility:	
	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Among the 3 Most Effective	Among the 3 Least Effective
Anoka County Juvenile Center, Lino Lakes (DOC)	7	15	2	1	0	5	2
Austin Youth Ranch, Austin (DHS)	9	33	13	1	0	12	4
Bar None Residential Services, Anoka (DHS)	1	24	5	10	1	4	7
Central Minnesota Community Corrections Center, Brainerd (DOC)	2	16	6	4	0	4	2
Gerard of Minnesota, Austin (DHS)	1	8	0	1	1	2	0
Gilfillan Center, Bemidji (DHS)	13	42	7	4	1	20	0
Hennepin County Home School, Minnetonka (DOC) ^a	1	10	4	3	2	1	5
Isanti Boys Ranch, Isanti (DHS)	3	26	8	2	1	3	3
Leo Hoffman Center, St. Peter (DHS)	16	39	12	11	1	20	9
Mille Lacs Academy, Onamia (DOC)	17	34	11	5	2	20	5
Minnesota State Correctional Facility, Red Wing (DOC)	2	15	14	3	3	4	7
Minnesota State Correctional Facility, Sauk Centre (DOC)	2	35	23	18	6	8	22
Northwestern Regional Juvenile Center, Bemidji (DOC)	9	12	4	3	0	15	3
Northwood Children's Home/Northwood West, Duluth (DHS)	17	22	5	2	1	11	2
PORT of Crow Wing County, Brainerd (DOC)	5	30	8	7	0	11	7
Prairie Lakes Detention Center, Willmar (DOC)	11	40	19	2	2	16	5
St. Cloud Children's Home, St. Cloud (DHS)	11	42	17	7	3	15	12
St. Croix Camp for Boys, Sandstone (DOC)	26	32	6	0	0	} 30 ^b	} 1 ^b
St. Croix Camp for Girls, Sandstone (DOC)	27	47	4	0	0		
St. Joseph's Home for Children, Minneapolis (DHS)	5	12	5	3	0	1	2

(continued)

Table 4.1: Ratings of Individual Residential Facilities by County Corrections and Social Services Officials, continued

Facility, Location, Licensing Agency	Number of Survey Respondents Who Said They Were:					Number of Survey Respondents Who Rated the Facility:	
	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	Among the 3 Most Effective	Among the 3 Least Effective
Thistledeew Camp, Togo (DOC)	39	60	9	1	1	51	4
Timberland Adolescent Program, Brainerd (DHS)	5	19	11	3	2	1	3
Willmar Regional Treatment Center, Willmar (DHS)	7	35	8	9	0	3	5
Wilson Center, Faribault (DHS)	1	7	5	3	2	2	5
Woodland Hills, Duluth (DHS)	22	42	3	1	0	38	4

Note: N = 149 (77 juvenile corrections supervisors and 72 social service directors). Respondents were asked not to rate facilities (1) where the county had placed two or fewer residents in the past three years or (2) where county staff felt they had insufficient experience to offer a judgment. We excluded facilities from this table that were rated by fewer than 10 respondents.

Source: Program Evaluation Division surveys, September - October 1994.

^aThe facility's long-term program for male person and property offenders is not open to counties other than Hennepin, unlike its short-term program for males and its sex offender and female offender programs.

^bMany counties did not specify whether their ratings pertained to the boys or girls camps.

- Did proper assessments of juveniles upon admission;
- Were within reasonable distance of the home county (or provided transportation for residents);
- Were effective in building residents' self esteem, skills, and relationships with peers;
- Had provisions for secure custody, if necessary; and
- Did not have waiting lists.

We found that:

- The facility most commonly ranked by counties among the most effective facilities in Minnesota was the state-operated Thistledeew Camp in northern Minnesota.

Of the 110 officials whose counties have used Thistledeew recently, 99 said they were "very satisfied" or "satisfied" with this facility, and only 2 said they were dissatisfied. In addition, a larger number of county officials (51) listed Thistledeew as one of Minnesota's three most effective facilities than listed any other single

facility. The county officials' positive comments about Thistledew included the following:

"Program concept and implementation is top notch--really addresses kid's impulsive and out of control tendencies. Consistency, good communication with probation officers."

"Good staff and supervision, low recidivism, discharge reports are concise and to the point."

"The most 'realistic' program in Minnesota."

"Good goal setting, builds self esteem, focused consequences, works well with placement agencies."

"[Teaches] self discipline, responsibility for behavior, consequences. Remote location discourages runaways."

Only four county officials listed Thistledew among the least effective Minnesota facilities. Concerns expressed about Thistledew included:

"Giving up on a difficult case, sending juvenile home without completion of program."

"Evidence of little impact on conduct disordered youth. No therapy and limited goals."

St. Croix Camp for boys and girls in Pine County--which has programs that are nearly identical to those at Thistledew--also received praise from county staff. Thirty county officials listed St. Croix Camp among Minnesota's most effective facilities, while only one listed the camp among Minnesota's least effective. In addition, 38 county officials cited the Woodland Hills facility in Duluth as one of Minnesota's most effective facilities, and it was cited by only four as one of its least effective. Comments about Woodland Hills and St. Croix Camp included:

"Solid [program] encourages juvenile offenders to evaluate their behavior and accept responsibility for their actions. Can control many kids who otherwise run from programs. Excellent school, excellent staff. Somewhat weak on family therapy." (Woodland Hills)

"[Program strengths include] focused admission criteria and programs, quality and depth of programs, relationships of program staff with residents and agency personnel." (Woodland Hills)

"Combines consequence and skills building, good staff. Aftercare and family services available." (St. Croix Camp)

"Clear parameters and expectations. They specifically target their goals and usually meet them." (St. Croix Camp)

We also found that:

Many counties expressed satisfaction with services provided by Thistledew Camp, Woodland Hills, and St. Croix Camp.

- **County officials tended to have less positive ratings of the facilities at Red Wing and Sauk Centre that serve juvenile offenders committed to the Commissioner of Corrections.**

Although the county officials who were satisfied with services at these facilities outnumbered those who were dissatisfied, a considerable proportion of officials were ambivalent ("neither satisfied nor dissatisfied").⁴ Among all survey respondents, the number of county officials who ranked Sauk Centre or Red Wing among Minnesota's *least effective* facilities (29) outnumbered those who ranked these facilities among Minnesota's *most effective* facilities (12). Among correctional supervisors, 17 said that Red Wing or Sauk Centre was one of the least effective facilities, while 11 said that it was one of the most effective.

Counties expressed concerns about the Sauk Centre and Red Wing facilities, possibly reflecting the more difficult offenders they tend to serve.

Counties' concerns about Sauk Centre and Red Wing may reflect the fact that these facilities tend to serve more chronic and more serious offenders than other facilities, which could contribute to the high rates of reoffense discussed in Chapter 3. However, many comments that we received in our surveys and in interviews indicated that counties' concerns also reflected dissatisfaction with the content of the programs at Sauk Centre and Red Wing. For example, corrections supervisors' survey comments about these facilities included the following:

"Lack of concern for [the] placing county. They don't appear to consider information relating to the client. Don't take offenders seriously. Poor programming."

"Youth usually only do time. Staff appear to focus on getting them out rather than working on the problems."

"The state seems less than committed to institution programming for juveniles. They push kids through the facility too quickly without client growth. We consider it a way to get offenders off the street for awhile."

"Quality staff, but understaffed. Length of stay far too short for type of offender sent there."

"They don't have a program as far as I'm concerned. They have routinely paroled my clients even though the juveniles have not met goals and were exhibiting negative behavior and attitudes. The commitment lengths are too short for some offenses."

"Single programming to meet treatment needs of widely diverse residents; rigid timelines not supportive of treatment needs."

Some judges and referees whom we interviewed also expressed reservations about the Sauk Centre and Red Wing facilities. For example, court officials in Minnesota's two largest counties told us that, for some of their most difficult juveniles,

⁴ Sauk Centre and Red Wing were two of the three facilities for which the "very dissatisfied," "dissatisfied," and ambivalent ratings accounted for more than 50 percent of the ratings from those respondents who had used the facilities recently. The Wilson Center was the other.

they have preferred the security and programming that facilities in other states have provided, as discussed in Chapter 2.⁵

Among the positive comments we received about these facilities were the following:

"[Sauk Centre takes] our toughest kids--ones who have failed other programs. They have an excellent school program."

"[Red Wing] takes difficult clients, child has to stay until completed, has secure capacity if necessary."

"[Red Wing] staff are dedicated to rehab."

"[Sauk Centre] is excellent at holding juveniles accountable for their actions and changing behavior and attitudes."

**Sauk Centre
and Red Wing
have been
rated highly in
accreditation
reviews.**

Because we did not evaluate individual components of facilities' programs and verify all county observations, we think it is important to note that both the Red Wing and Sauk Centre facilities have received high marks in accreditation reviews by the American Correctional Association (ACA), meeting more than 99 percent of the accreditation standards. Following a 1994 visit to the Sauk Centre facility, the ACA said that the facility has "an environment where juveniles can develop positive attitudes and demonstrate constructive alternatives to previous behaviors. . . . The interaction between the staff and juveniles is very warm, friendly and with mutual respect for each other. Staff felt very comfortable in their roles and were well trained."⁶ Following a 1993 visit to Red Wing, the ACA commented that this facility's "use of involved therapy continues to be a valuable tool in helping juveniles develop positive values and goals through peer influence with staff guidance."⁷ We also reviewed questionnaires completed by Red Wing juveniles for facility staff at the time of their releases and found that the vast majority said that their group meetings, school, and individual release plans were helpful.

Overall, we think that the survey results, our interviews, and the extensive use by Minnesota counties of out-of-state facilities reveal a lack of confidence in the Sauk Centre and Red Wing facilities among many county officials who place juvenile offenders. If the problems cited by counties reflect inaccurate perceptions, the Department of Corrections should find ways to improve counties' understanding of facility services. If the problems cited by counties reflect deficiencies in facility services, the department should explore possible improvements.

⁵ During a recent 21-month period, Hennepin and Ramsey counties placed 124 juveniles in other states' residential facilities.

⁶ American Correctional Association, visiting committee report and hearing minutes, in June 9, 1994 correspondence to Dale Ulrich, superintendent, Minnesota Correctional Facility-Sauk Centre.

⁷ American Correctional Association, visiting committee report and hearing minutes, in March 15, 1994 correspondence to Gerald O'Rourke, superintendent, Minnesota Correctional Facility-Red Wing.

OUTREACH TO FAMILIES

Most experts in juvenile justice believe that a supportive home environment can improve the chances for successful reintegration of juveniles into their home communities. Some youth come from abusive or neglectful households. Other juveniles find that their delinquent actions have strained their relationships with parents.

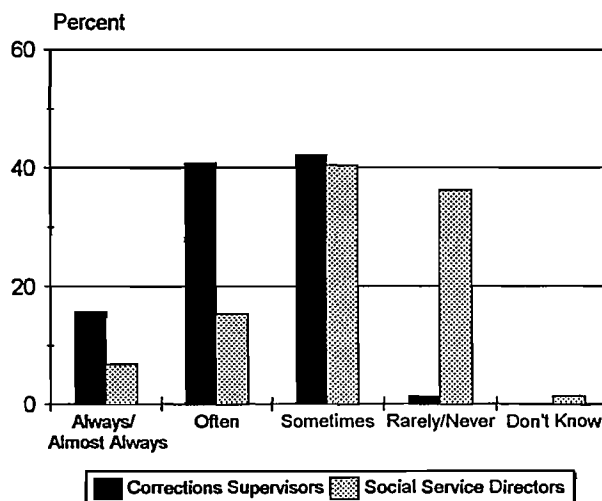
To address family tensions, some residential facilities provide parents with opportunities to participate in counseling or educational programs with their children. For example, one facility that we visited has a peer family group, in which family members of one juvenile provide support to family members of other juveniles. Some facilities provide families with transportation and even lodging to enable them to visit their children or attend family therapy meetings.

However, county staff believe there is considerable room for improvement in facilities' outreach to families. As shown in Figure 4.1, we found that:

- About 74 percent of social service directors and 44 percent of correctional supervisors said that residential facilities "sometimes," "rarely," or "never" make sufficient efforts to work with the families of offenders.

Many county staff think that facilities need to work more closely with the families of offenders.

Figure 4.1: County Responses to Survey Question: Do Facilities Make Sufficient Efforts to Work With Families of Juvenile Offenders?



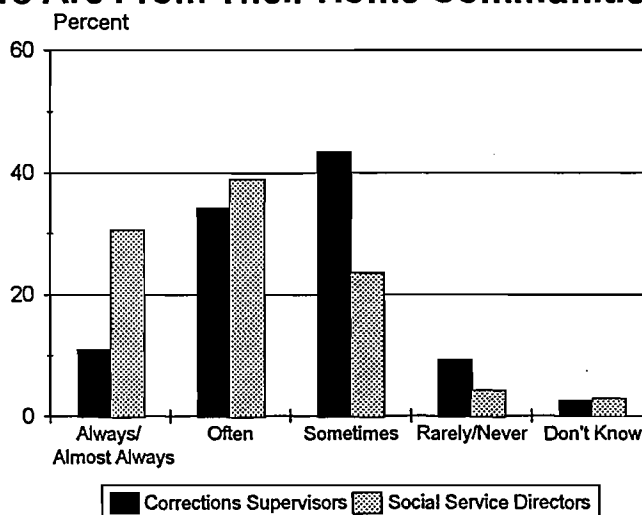
Source: Program Evaluation Division surveys, September-October 1994.

Some program staff told us that the likelihood of parent involvement is higher when facilities make parental participation a clear program expectation at the time that juveniles are admitted. But staff in other facilities observed that many parents

"give up" on their children after repeated offenses and refuse to participate in facility programs under any circumstances. An official at the Minnesota Correctional Facility at Red Wing estimated that only 10 percent of its residents have parents who participate in facility activities to which they are invited.⁸

In some cases, the lack of family participation reflects the distance that facilities are from offenders' home communities. About 35 percent of the beds in residential juvenile facilities that are licensed to serve more than 10 people are located in the seven-county Twin Cities area, which has 52 percent of Minnesota's population and higher rates of serious juvenile crime. In our survey, as shown in Figure 4.2, 69 percent of social service directors and 47 percent of correctional supervisors said that the effectiveness of out-of-home placements is "always" or "often" impeded by the distance that juveniles are from their home communities.

Figure 4.2: County Responses to Survey Question: How Often is the Effectiveness of Out-of-Home Placements Impeded by the Distance that Offenders Are From Their Home Communities?



Source: Program Evaluation Division surveys, September-October 1994.

Facilities use various approaches to get offenders to change their behaviors.

GETTING OFFENDERS TO UNDERSTAND CONSEQUENCES OF ACTIONS

The juvenile facilities that we visited use various approaches to get offenders to think about the consequences of their actions. For example, many facilities require delinquents to discuss past offenses during peer counseling sessions. One facility requires each juvenile to write a paper about his or her offense and tries to arrange meetings between offenders and their victims, when possible. Facilities often afford juveniles with opportunities to earn money that can be used to pay

⁸ In contrast, officials at the state's Sauk Centre facility estimated that most parents of children at this facility participate in some activities to which they are invited.

court-ordered restitution to the victims of their offenses. Several facilities that we visited teach "critical thinking skills" to juveniles to help them recognize errors in thinking and encourage them to think about the logical consequences of their actions.

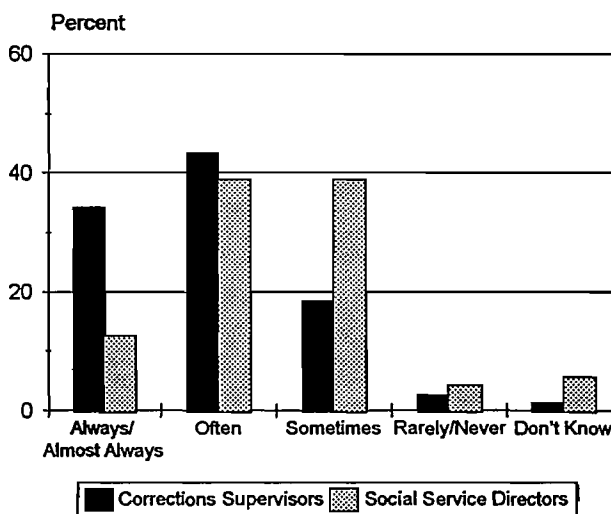
Two facilities that we visited require residents who violate facility rules to chop wood, and some facilities reward good behavior by granting special privileges. The most highly-structured approach to behavior modification that we observed was at Ramsey County's Totem Town facility. At this facility, residents earn points each day that can be used to "purchase" privileges ranging from phone calls to snacks to personal hygiene products.

In our surveys of county corrections and social service officials, we found that:

- Most county officials think that residential facilities "often" or "always" make sufficient efforts to get offenders to consider the consequences of their actions.

As shown in Figure 4.3, 77 percent of correctional supervisors and 51 percent of social service directors said that facilities "often" or "always" make satisfactory efforts in this regard. However, it is important to consider whether facilities' efforts have impacts on juveniles after they leave the structured and consequence-oriented environments of the residential facilities. As the reoffense rates reported in the last chapter suggest, facilities have experienced difficulties getting juveniles to permanently change patterns of delinquent behavior.

Figure 4.3: County Responses to Survey Question: Do Facilities Make Sufficient Efforts to Get Offenders to Consider the Consequences of Their Actions?



Source: Program Evaluation Division surveys, September-October 1994.

INDIVIDUALIZED SERVICES

Although most programs emphasize group approaches, there are many opportunities for individualized learning.

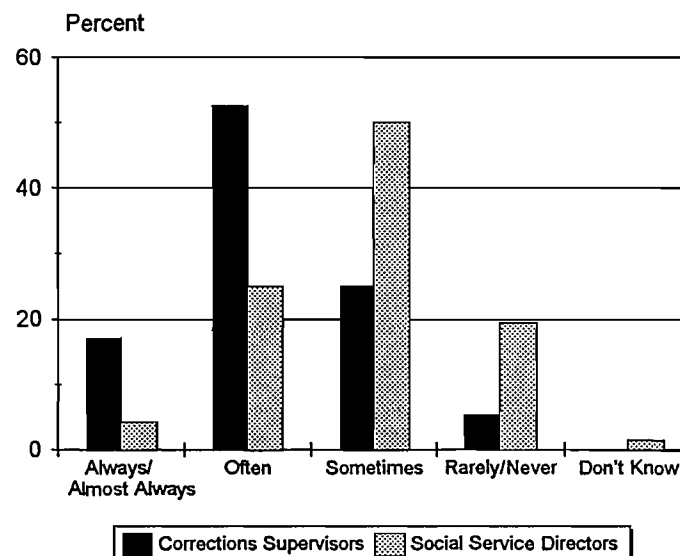
State law requires the juvenile courts to pursue the goals of reduced delinquency and improved public safety through means that "recognize the unique characteristics and needs of children."⁹ Early in our study, some people expressed concerns to us about facilities that have "uniform" programs for all of their residents. They were concerned that an unwillingness by facilities to tailor services to meet individual needs might result in ineffective services or the release of residents prior to program completion.

In the juvenile facilities we visited, most program components are done in groups, and the schedule of daily activities is usually similar for all residents of each cottage or living unit. Most programs devote little time to structured, pre-scheduled individual counseling. Still, there is opportunity in all of these programs for individual problems to be addressed in structured group sessions or through informal contacts between staff and residents. In fact, some facility staff noted that residents learn their most important lessons outside of the structured activities, coping with daily life at the facility and observing appropriate behavior by peers and staff.

As shown in Figure 4.4, our surveys indicated that:

- About 30 percent of county correctional supervisors and 70 percent of social service directors said that facilities "sometimes," "rarely," or "never" adequately tailor their programs to meet juveniles' needs.

Figure 4.4: County Responses to Survey Question: How Often Do Facilities Adequately Tailor Programs to Meet Individual Needs?



Source: Program Evaluation Division surveys, September-October 1994.

⁹ Minn. Stat. §260.011, subd. 2(c).

At most facilities, there is variation in how long residents stay.

In each facility that we visited, the staff and residents develop individualized treatment or release plans during the initial weeks of residents' stays. We reviewed selected plans in several of the facilities we visited. Typically, the plans identified specific behaviors that led to the juveniles' placements and set behavior-related goals to be accomplished prior to release. Facilities, in our view, appear to be making efforts to develop individually-tailored service plans, so we presume that the preference of some county officials for more individualized services probably reflects their desire for facilities to more skillfully assist residents in implementing these plans.

One way that facilities tailor their programs is by varying the length of time residents stay, in accordance with individual needs. Most county officials told us that they would prefer facilities to vary lengths of stay for their residents, although most social service directors said that they would also like to see an upper limit on the time that juveniles can stay at a facility. At two facilities that we visited (Thistledeew Camp and St. Croix Camp), nearly all residents have identical lengths of stay and participate in a series of pre-set program components. As we noted earlier, however, most counties that use these facilities told us that they have been satisfied with them.

Within each of the other facilities we visited, there is variation in the lengths of time that residents stay. Figure 4.5 shows average length of stay for residents in several facilities' "long-term" programs. Among these facilities, the average stays ranged from about three months at Thistledeew and St. Croix Camp to more than a year for sex offenders at the Hennepin County Home School.¹⁰ Some facility staff told us that sex offenders require longer programs than other offenders because their problems are more deeply rooted and many lack effective social skills.

Our survey also revealed county concerns about the ability of facilities to address individuals' mental health needs. As shown in Figure 4.6, 75 percent of social service directors said that facilities licensed by the Department of Corrections "sometimes," rarely," or "never" adequately address the mental health needs of residents. About one-third of the social service directors said the same about facilities licensed by the Department of Human Services. Several staff in facilities licensed by the Department of Corrections told us that the number of their residents with serious mental health problems has been small but growing, and they have had difficulty developing services to address these residents' needs.

In our view, the need for very individualized services is particularly important at the two facilities that serve offenders committed to the Commissioner of Corrections. The Red Wing and Sauk Centre facilities are the "end of the line" among juvenile facilities in Minnesota and cannot refuse to accept juveniles who are referred from any of the state's 87 juvenile courts. For this reason, it is important for these facilities to be equipped to meet a wide spectrum of needs, including the needs of offenders that other facilities refuse to admit. Currently, the Red Wing and Sauk Centre facilities use a group-based approach that is intended to help

¹⁰ Three of the facilities that we visited—Woodland Hills, Totem Town, and the Hennepin County Home School—also operate short-term programs. These programs usually last from 20 to 45 days and are primarily intended for offenders without lengthy delinquency histories.

Figure 4.5: Average Length of Stay in Various Juvenile Residential Facilities

MINNESOTA CORRECTIONAL FACILITY-RED WING: For committed residents who were released during calendar year 1993, the average length of stay was nearly 7 months. During 1992 and 1994, stays averaged less than 5 months. Projected release dates are determined by the Department of Corrections hearing officer based primarily on state guidelines that account for the severity of the committing offense and the number of prior offenses. Actual release dates depend on subsequent review by the hearing officer.

MINNESOTA CORRECTIONAL FACILITY-SAUK CENTRE: For committed residents who were released during fiscal year 1994, the average stay was about 5 months. Facility staff told us that the average stay in Sauk Centre's new sex offender program has been 6 to 7 months. Projected release dates are determined by the Department of Corrections hearing officer based primarily on state guidelines that account for the severity of the committing offense and the number of prior offenses. Actual release dates depend on subsequent review by the hearing officer.

HENNEPIN COUNTY HOME SCHOOL (long-term programs): For male residents released during calendar year 1993, the average stay at the facility was about 7.5 months, with an average of 3 additional months on furlough. In 1993, stays for female offenders averaged nearly 7 months (there were no furloughs), and stays for sex offenders averaged about 18 months (including furlough time). Except for sex offenders, juveniles committed to the home school by the Hennepin County courts receive determinate sentences, based on county guidelines that account for the severity of the committing offense and the number of prior offenses. Under the guidelines, up to one half of the commitment period could be spent on furlough in the community.

BOYS TOTEM TOWN (long-term program): For residents completing the program who were released during calendar year 1993, stays averaged just under 5 months. Stays are determined by facility staff based on individual progress. Due to the large number of juveniles being referred to Totem Town, the facility has not been requiring residents to complete the final phase of their programs. Staff estimate that average stays would have been about six months if residents had completed all parts of their programs.

WOODLAND HILLS (long-term program): For residents completing the program who were released during calendar year 1993, the average length of stay was about 8.5 months. Stays are determined by peer groups and facility staff based on individual progress.

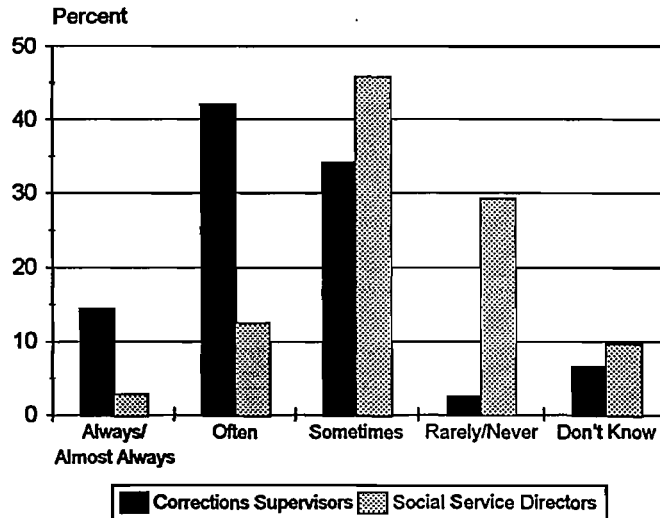
ST. CROIX CAMPS: The standard program is 13 to 15 weeks, although extended stays are occasionally granted.

THISTLEDEW CAMP: The standard program is 13 to 15 weeks.

DHS-LICENSED TREATMENT (RULE 5) FACILITIES: For residents released in 1993, the average stay was about 9.5 months. Stays are generally determined by facilities based on the progress of individual residents.

Source: Information supplied to the Program Evaluation Division by each of the individual facilities listed and by the Minnesota Council for Child Caring Agencies (MCCCA). The MCCA facilities included in the Rule 5 average reported here include Archdeacon Gilfillan Center, Bar-None Residential Services, Booth Brown House, Buckeye Manor, Minneapolis Children's Residential Treatment Center, Gerard of Minnesota, Leo A. Hoffman Center, Northwood Children's Home, St. Cloud Children's Home, St. Joseph's Home for Children, Sheriff's Youth Program of Minnesota, Wilder Children's Placement Service, and Woodland Hills.

Figure 4.6: County Responses to Survey Question: How Often Are Offenders' Mental Health Needs Adequately Addressed By Facilities Licensed by the Department of Corrections?



Source: Program Evaluation Division surveys, September-October 1994.

residents develop "positive peer cultures" (PPC). The PPC approach is highly regarded by many corrections professionals and is premised on principles such as the following:

- Close bonds with peers and with facility staff are important because personal relationships with other people are essential to personal growth.
- Youth will learn to become independent and responsible only when they are given responsibility and autonomy.
- Self-centered youth need to learn the value of helping others, and it is therapeutic for juveniles to take responsibility for helping others.
- Youth who have experienced many failures in life need to have a sense of mastery in order to develop social and academic competence.¹¹

"Positive peer culture" programs are well regarded, but staff concede that they are not effective with some offenders.

The PPC programs are staff-guided, but they rely considerably on the residents of group living units to identify and help address the problems of individual members of the group. The Sauk Centre and Red Wing facilities initially adopted the PPC model mainly to reduce discipline problems and help establish a more cohesive facility atmosphere.

¹¹ Adapted from Larry K. Brendtro, "Positive Peer Synergy: Putting It All Together," *Positive Peer Culture: A Selected Bibliography*, ed. George A. Giacobbe, Elaine Traynelis-Yurek, Larry M. Powell, and Erik Laursen, eds. (Richmond, Virginia: G & T Publishing, 1994), viii-ix.

Facilities that have no choice about whom they admit should be able to employ a variety of treatment approaches.

However, staff in facilities that use the PPC program told us that some types of residents are less likely to fare well with this approach, including juveniles with mental health problems, gang affiliations, or low IQs, and juveniles who do not want to affiliate with peers or who seek attention by acting out. In addition, the Sauk Centre and Red Wing facilities have experienced staff shortages (see Chapter 2) and population increases that have strained their ability to provide effective group and individual programming. Both facilities opened new residences in 1994 to accommodate rising populations, but both continue to operate with staffing levels that are the lowest among the state's residential facilities.

We think that the group counseling approaches used by Minnesota facilities can be, in many circumstances, very responsive to individual needs. As some facility staff told us, peer groups will develop in any residence, and it is best if these groups can be nurtured with staff guidance so that they contribute to individual problem-solving. However, we also think that facilities must have the willingness and resources to try other approaches, when necessary--particularly those facilities that have no choice about which offenders they will admit. A recent study of PPC programs at several Michigan institutions for juvenile offenders recommended the development of non-group treatment programs for a sizable group of anxious, depressed juveniles who do not respond as well to PPC approaches.¹² We think that the Sauk Centre and Red Wing facilities need to be able to provide different types of programs to certain serious and chronic offenders--perhaps more staff-intensive, non-group services that would require lower resident-to-staff ratios. We recommend:

- The Department of Corrections should consider alternative program approaches to meet the needs of selected offenders for whom the positive peer culture approach is not adequate or effective.

To their credit, staff at the Red Wing and Sauk Centre have discussed alternative ways to provide services to residents who require mental health and chemical dependency services, although there are no immediate plans to implement separate programs for these residents. Also, the sex offender program implemented at Sauk Centre in 1993 is an example of developing specialized programming to meet the needs of a hard-to-serve population. While there are no guarantees that alternative approaches will work more effectively than the positive peer culture approach, we think that the difficult nature of many residents at these facilities will often require creative uses of staff and community resources.

AVAILABILITY OF AFTERCARE SERVICES

Residential facilities typically have several months to try to address delinquent behavior patterns that have developed over a juvenile's lifetime. Placing a juvenile away from home, in a setting that restricts certain privileges and provides regular supervision and structure, is one way to try to get a youth to change entrenched

¹² Martin Gold and D. Wayne Osgood, *Personality and Peer Influence in Juvenile Corrections* (Westport, CT: Greenwood Press, 1992), 177-193, 213.

behaviors. However, the environment of a residential facility is different from a juvenile's home environment, and it is always a challenge for facility staff to help offenders to resist old temptations once they go home to their families, schools, and neighborhoods.

Typically, facility staff, offenders, and sometimes parents meet with probation officers or other county staff prior to an offender's release from a facility. The purpose of these meetings is to review the offender's progress at the facility, discuss supportive services that the offender might need in the community, and reach agreement on future expectations for the offender's behavior. In response to growing waiting lists for residential services, one facility that we visited (Boys Totem Town in Ramsey County) has suspended a portion of its program specifically designed to help offenders prepare for their return to community living. This has reduced the average length of residential stays, but staff expressed concerns to us that this practice (1) may reduce the likelihood of long-term rehabilitation, and (2) removes those juveniles from the residential program whose improved attitudes and behaviors could serve as models for offenders who are just beginning their programs.

**Without
aftercare, it
may be difficult
for offenders to
resist old
temptations
when they
return home.**

For many offenders, regular contacts with probation officers are the primary form of "aftercare" service following release from a facility. Most facilities do not offer their own aftercare services, but some do. For instance, the Wilder Foundation, which is the parent organization of the St. Croix Camp for boys and girls, offers weekly meetings and individual counseling in St. Paul for past residents of the camp and their families. The Archdeacon Gilfillan Center in Bemidji has meetings with juveniles and their families for up to three months after program completion. Thistledeew Camp recently added an onsite probation officer to work with county probation officers and assist residents with their transition to community life.

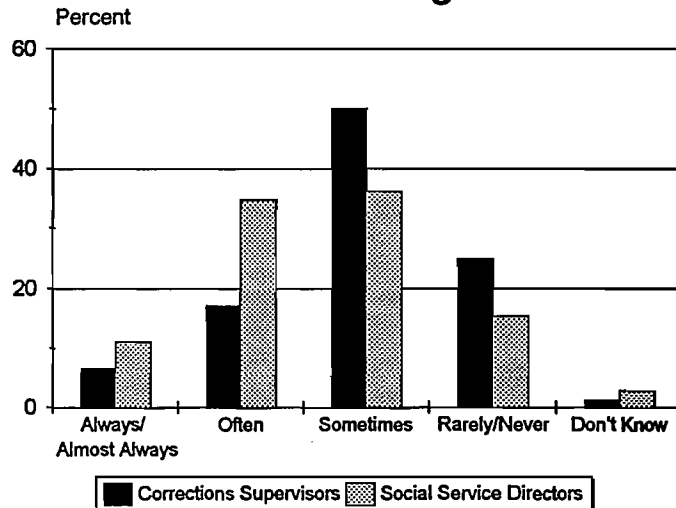
Although most juveniles return to their families when they leave a residential facility, some go first to smaller group residential facilities in their home communities or receive specialized residential treatment services. For example, about one-fourth of all residents paroled from the Department of Corrections' Sauk Centre facility in recent years have gone directly to a group home or residential treatment facility.

In our survey of county officials, most told us that aftercare services have as much impact on the likelihood of reoffense as the program offered at a residential facility. Of those officials who thought that one was more important than the other, most said that aftercare was more important than the residential facility's program. However, as shown in Figure 4.7, we also found that:

- About 75 percent of county correctional supervisors and 51 percent of county social service directors said that juveniles "sometimes," "rarely," or "never" have access to adequate and appropriate community-based services after completing residential programs.

Most county officials think that offenders need better aftercare services.

Figure 4.7: County Responses to Survey Question: Do Juveniles Have Access to Adequate and Appropriate Community Services After They Have Completed Their Residential Program?



Source: Program Evaluation Division surveys, September-October 1994.

We asked county officials to identify specific types of services that represent the greatest unmet needs for juvenile offenders in their communities. Table 4.2 shows that structured activities with peers was cited as an unmet need by more correctional and social services officials than any other single community service.

While most county officials told us that improved aftercare services are necessary for many offenders, it is important to recognize that the success of rehabilitation efforts ultimately depends on offenders' willingness to change delinquent behaviors. Some of the state and county facilities to which juveniles are committed by the courts use parole and furlough agreements to provide a means for enforcing agreements that offenders have made to change their behavior. Hennepin County enters into furlough agreements with juveniles sent to its Home School, and these enable felony offenders, for example, to live in their home community for up to half of their commitment time. The agreements designate curfews, places and people with whom contact should be avoided, and requirements for restitution, treatment, work, and school. If a Hennepin County hearing officer determines that the agreement has been violated, the offender may be returned to the Home School to serve the balance of his or her commitment time. According to Home School officials, about 15 to 20 percent of furloughed offenders violate the terms of their furlough agreements.

Most offenders committed to the Department of Corrections' Sauk Centre and Red Wing facilities are paroled upon release. Generally, the department requires 12 months of parole for juveniles who were committed to the commissioner for offenses against persons and 6 months for property offenders. While on parole,

Table 4.2: Non-residential Community Services That County Officials Most Often Cited as "Unmet Needs" for Juveniles

	Number Ranking This Service in the Top Three Needs	Number Ranking This As the Most Important Need
JUVENILE CORRECTIONS SUPERVISORS (N = 77)		
Structured activities with peers	35	11
Vocational guidance, preparation and assistance	29	6
Chemical dependency services	26	11
Life skills training	26	7
Sex offender services	24	12
Mental health services	23	8
Female offender programming	22	4
Abuse victim services	6	2
Educational services	6	1
SOCIAL SERVICE DIRECTORS (N = 72)		
Structured activities with peers	36	12
Sex offender services	35	15
Vocational guidance, preparation and assistance	21	8
Life skills training	21	8
Female offender programming	19	6
Mental health services	14	8
Chemical dependency services	12	6
Educational services	8	3
Suicide prevention services	6	2
Family counseling ¹	5	3

Source: Program Evaluation Division analysis of September-October 1994 surveys.

¹This service was not one of the specific options listed on our survey instrument, but several counties identified it under the option of "other" services.

about 15 percent of all offenders released from these state facilities are returned to the facilities for a new offense or a technical violation of their parole conditions.

INCIDENTS AT FACILITIES

As discussed in Chapter 2, rehabilitation is the primary goal in most placements of juvenile offenders. However, counties also expect facilities to maintain safe custody and control of youth during their time in a residential placement, and counties make some placements at facilities in remote locations to minimize offenders' risks to public safety. Facility staff told us that they want to provide residential environments that discourage residents from running away and that protect the safety of the general public, the staff, and the residents. Most facility staff believe that a constructive facility atmosphere, with a minimum of disruptive incidents, can help a facility to achieve its rehabilitative goals.

We looked at the extent to which facility residents run away. Most adjudicated youth in residential facilities are not in locked units, and their movements are usually subject to less monitoring by staff than are residents of jails or prisons. Table 4.3 shows the extent to which residents of various facilities ran away in a recent year. Some facilities--such as Thistledew Camp and St. Croix Camp--are geographically isolated, so it is difficult for residents who run away to reach towns or their home communities before being apprehended.¹³ The highest rate of run-aways was at the Boys Totem Town facility in St. Paul, which almost exclusively serves males whose homes are in the same county where the facility is located. Most juveniles who run from facilities are apprehended within a matter of hours, according to facility staff.

Table 4.3: Escapes or "Runs" From Selected Juvenile Facilities

	Facility	Annual Number of Runs	Average Daily Population	Annual Runs/ Average Daily Population
		(3-Year Average) ^a	(3-Year Average)	
The number of escapes depends partly on the proximity of offenders to their homes.	St. Croix Camp - Boys	16.3	42.3	0.39
	St. Croix Camp - Girls	1.7	42.0	0.04
	Woodland Hills	14.0	45.2	0.31
	Thistledew Camp	10.3	48.3	0.21
	Minnesota Correctional Facility - Sauk Centre	72.7	88.3	0.82
	Minnesota Correctional Facility - Red Wing	56.0	81.6	0.69
	Hennepin County Home School	54.7	129.1 ^b	0.42
	Boys Totem Town	68.3	44.1	1.55

Source: Program Evaluation Division analysis of data provided by selected facilities.

^aNumber of instances where juveniles fled from supervision or authorized locations, as reported to us by each facility. The reporting periods vary among facilities, but each facility reported runs for a complete three-year period since July 1990.

^bBased on two-year average.

Facility staff told us that juveniles who run from facilities sometimes steal cars. They said that offenders have rarely committed other offenses--such as assaults--while on the run. In our sample of more than 1,400 offenders released from seven juvenile facilities in 1991, we found that delinquency petitions were filed against 11 percent of the residents for offenses committed during their stays at these facilities. Petitions for felony-level offenses committed during residential stays were filed against five percent of the juveniles, and petitions for violent felonies were filed against 1.5 percent.¹⁴ It is likely that some of these offenses were com-

¹³ Some residents--particularly at facilities on large acreages of land--fled from facility supervision but were apprehended by staff before they left facility property.

¹⁴ We based our analysis on the "date of offense" reported in court records, although it is possible that some of these petitions were brought for offenses that were committed prior to placement in the residential facility. It is also possible that, in some cases, law enforcement agencies might choose not to file petitions against juveniles who have committed offenses but are already at a residential facility.

mitted against peers or staff at the residential facilities, not against people in the community.

Another type of incident that can disrupt the atmosphere of facilities are resident behaviors that result in disciplinary actions by staff. One of the most serious examples of the potential impact of such behaviors occurred in 1991, when the Hennepin County Home School temporarily suspended admissions to its sex offender program after three residents allegedly committed 26 sex offenses against other residents. The Home School subsequently changed internal procedures and improved security measures to reduce the likelihood of future problems. We found that it is difficult to compare the number of disciplinary infractions among facilities in a meaningful way because (1) facilities have different rules for resident behavior (and different levels of enforcement for those rules), and (2) some facilities do not have information systems that enable the total number of incidents to be tracked over time.¹⁵

We looked at the history of rule infractions at the Red Wing and Sauk Centre facilities, which have kept more detailed summary records of incidents than most other facilities we visited. Table 4.4 shows the number of major infractions recorded by these facilities in recent years. It is possible that variations in the number of

Table 4.4: Number of Major Disciplinary Infractions at Red Wing and Sauk Centre Facilities (Calendar Years 1990-94)

<u>Infraction</u>	<u>Facility</u>	<u>1990</u>	<u>1991</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>
Assault against staff	RW	6	1	11	2	19
	SC	20	12	14	11	16
Assault against resident	RW	24	23	25	15	36
	SC	19	18	23	21	35
Escape or attempted escape	RW	78	81	130	64	83
	SC	102	83	104	90	69
Threatening others	RW	53	42	68	22	181
	SC	86	44	30	23	35
Possession of contraband	RW	19	15	30	21	54
	SC	97	40	37	42	79
Resisting placement	RW	34	33	29	18	79
	SC	23	16	19	16	27
Tampering with security devices	RW	3	1	10	3	30
	SC	16	9	10	0	7
Unauthorized possession of property	RW	13	12	13	8	19
	SC	24	12	10	6	13

Source: Minnesota Correctional Facility-Red Wing (RW) and Minnesota Correctional Facility-Sauk Centre (SC).

¹⁵ Facilities licensed by the Department of Corrections are required to report certain types of incidents to the department. The department has kept information on incidents in the files of individual facilities, but it did not start to keep a central file indicating all reported incidents and the outcomes of department investigations until 1994.

Red Wing and Sauk Centre opened new residences in 1994 to address crowding problems.

reported incidents reflect differences in facility reporting practices in addition to differences in actual resident behavior. For example, Sauk Centre officials told us that they now try to have peer groups address problems that, in previous years, might have led to disciplinary actions by staff. The data indicate that, in most categories, the number of recently recorded disciplinary problems at Sauk Centre have been below the number recorded in 1990, when the facility implemented a positive peer culture program to help address discipline problems. In response to crowding at the Sauk Centre facility during 1994, the Department of Corrections reallocated funds from an adult correctional facility to enable the Sauk Centre facility to open a new residence for males.

The number of discipline problems at Red Wing were at relatively high levels during 1992 and 1994, when the facility was experiencing growth in its resident population. In 1994, the total number of major disciplinary infractions recorded at the Red Wing facility was more than three times the number recorded during the previous year. A Department of Corrections inspector warned department officials in August 1994 of "an explosive situation" in which neither staff nor residents felt safe.¹⁶ In an effort to address crowding and improve the facility atmosphere, the Department of Corrections converted an adult residence at the Red Wing facility into a juvenile residence in Fall 1994 and increased night staffing levels.

We also examined the number of suicides in Minnesota juvenile facilities over the past decade. According to Department of Corrections records, the number of juvenile suicides in local jails, detention centers, and residential facilities totalled five during the past nine years. Among the large residential facilities that we visited, there have been no recent suicides.¹⁷

Finally, we examined the number of complaints received about residential facilities by state officials. During a recent 27-month period, the Ombudsman for Mental Health and Mental Retardation received a total of 21 complaints about Minnesota's public and private children's mental health facilities. The ombudsman's office did not maintain records on these complaints prior to July 1993 that indicated the nature of the complaints or whether they were verified by the ombudsman.¹⁸

Unlike the mental health ombudsman, the Ombudsman for Corrections does not investigate complaints related to privately-owned facilities—including most group homes and some larger facilities like St. Croix Camp—unless the complaints relate to children who are from Community Corrections Act counties. We found that, in fiscal years 1993 and 1994, the corrections ombudsman received a total of 90 complaints about residential facilities that serve adjudicated juveniles; all but four

¹⁶ Deneve F. Bunde, Department of Corrections Juvenile Services Corrections Program, memorandum to Dennis Falenschek, Inspection and Enforcement Unit, August 19, 1994. As noted earlier, daytime staffing levels remain below minimum state requirements. The enforcement unit has granted a variance to the Red Wing facility on its staffing shortages until mid-1995.

¹⁷ In 1994, one resident of the Hennepin County Home School died by drowning in a lake. Facility officials believe the drowning was an accident, not a suicide.

¹⁸ This total includes Rule 5 and Rule 8 facilities. Of the seven complaints made since July 1993 that were verified by the ombudsman, three involved neglect in supervision, three involved violations of resident rights, and one involved a facility's handling of resident finances.

were for the Hennepin County Home School (47) and the state facilities at Sauk Centre (28) and Red Wing (11). The most common complaints related to allegations of facility rule violations and threats or abusive behavior.¹⁹ One-third of the complaints were resolved by the ombudsman without requiring an investigation. Of the 60 cases investigated, the ombudsman found at least partial justification for 29.²⁰

CULTURAL SENSITIVITY

In 1993, a Minnesota Supreme Court task force recommended development of culturally specific in-home and out-of-home programs for minority youth. The task force found that non-white, first-time offenders from outstate Minnesota were removed from their homes at disproportionate rates to white juveniles. Among Hennepin County youth, the task force found that race was not a significant factor in the percentage of youths placed outside of their homes.²¹

In the seven juvenile facilities whose 1991 released offenders we tracked, about 40 percent of the released juveniles were non-white.²² African-American juveniles represented about 18 percent of our sample, American Indians represented 13 percent, Hispanics represented nearly 4 percent, and Asians represented 3 percent. Several county officials told us that they prefer to use facilities with programs that are specially designed to work with non-white offenders. Table 4.5 shows the number and proportion of non-white direct service staff in Fall 1994 in each of several facilities we visited. We found that:

- The percentage of non-white staff at large facilities was smaller—sometimes much smaller—than the percentage of non-whites in the offender population.

One facility (St. Croix Camp for girls) had no minority staff. Neither Thistledeew Camp nor the state correctional facility at Sauk Centre had African American staff, and only Thistledeew had more than one American Indian staff person. Facility administrators told us that they are committed to hiring and retaining diverse workforces, despite the difficulties they have had.

Facilities have had difficulty recruiting and retaining non-white staff.

19 The "threats/abuse" category of complaints used by the ombudsman may include complaints about the behavior of staff, residents, or visitors. We did not examine individual cases to determine the nature of the complaints.

20 The ombudsman found at least partial justification for 18 complaints at the Hennepin County Home School, 9 at Sauk Centre, and 1 at Red Wing.

21 *Final Report of the Minnesota Supreme Court Task Force on Racial Bias in the Judicial System* (St. Paul, May 1993), 98-104. The study found that race information is not reported in most delinquency adjudications in Minnesota. The task force examined case processing in Hennepin and 15 outstate counties, all of which had race information for their juvenile cases.

22 According to the Minnesota Council of Child Caring Agencies (MCCCA), whose membership includes many of the residential facilities for children licensed by the Department of Human Services and one of the large facilities licensed by the Department of Corrections, 28 percent of residents admitted to MCCCA treatment facilities in 1993 were non-white.

Table 4.5: Non-white Residents and Staff at Selected Residential Facilities for Juveniles

	Percentage of Offenders Released in 1991 Who Were Non-White	Total Number of of Direct Service Staff	Number of Staff Who Are:					Percentage of Direct Service Staff Who Were Non-White
			Black	American Indian	Hispanic	Asian	Other Minorities	
Minnesota Correctional Facility - Red Wing	50%	57	6	0	0	0	0	11%
Minnesota Correctional Facility - Sauk Centre	33	72	0	1	0	0	2	4
Thistledew Camp	20	40	0	3	0	0	0	8
St. Croix Camp for Boys	32	21	1	0	0	0	0	5
St. Croix Camp for Girls	27	26	0	0	0	0	0	0
Hennepin County Home School	63	82	7	1	1	0	0	11
Boys Totem Town	58	19	3	0	0	0	3	32
Woodland Hills	<u>17</u>	<u>31</u>	<u>1</u>	<u>3</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>13</u>
	40%	348	18	8	1	0	5	9%

Source: Program Evaluation Division analysis of data provided by facilities on long-term residential programs in November 1994 and data on 1991 residents provided by facilities in July-August 1994.

In our survey of county corrections and social service officials, we asked whether facilities have been sufficiently sensitive to cultural or ethnic differences among their residents. Of the officials from the eight Minnesota counties where more than 10 percent of the juvenile population is non-white, only 33 percent said that facilities are "always" or "often" sensitive to these differences.²³

We did not try to independently document whether any programs are, in fact, insensitive to minority residents, although some residents that we talked with expressed a desire for more minority staff. With proper staff training, it may be possible for programs to be culturally sensitive even if the vast majority of staff are white. Still, it is important to note that residential facilities located away from Minnesota's urbanized areas have had serious difficulty recruiting minority staff--as have some facilities in urbanized areas--and this has the potential to hinder effective services in some cases.

²³ Another 20 percent responded "don't know" or did not answer the question.

EDUCATIONAL SERVICES

Many researchers have noted that poor academic performance is closely related to delinquent behavior, and addressing educational needs can be an approach to rehabilitation:

Delinquent youth are characterized by their poor attendance, behavior, and performance at school. . . . [A] strong relationship exists between increased interest in school and delinquent rehabilitation. It is exciting to note that when the academic experience is structured so that youth will have the opportunity to experience some successes, even youth with disastrous academic histories can develop an interest in school that tends to persist.²⁴

An important component of the programs offered by residential facilities is their educational services. Juveniles typically spend five to six hours per day in school at these facilities, which is more time than they spend in any other single structured activity. One facility administrator told us that residential facilities have the advantage of being able to provide education to juveniles in a relatively safe living and school environment, which juveniles at his facility often lack in their home communities.

Although children ages 16 and older are not required by Minnesota law to attend school, the juvenile facilities that we visited expect their residents of all ages to attend school. Most facilities allow older residents to enroll in courses that prepare them for GED examinations, and some facilities offer residents with high school diplomas the option of participating in work training programs.

Facilities licensed by the Department of Corrections are required by state rules to provide a "comprehensive and continuous" education program for residents. The rules require that the educational programs include, at a minimum, remedial education, special education, multicultural education, bilingual education (where necessary), developmental education, and tutorial services. Facilities licensed by the Department of Human Services are not required by state rules to provide specific program components, but the rules require that school districts in which the facilities are located provide education for children with disabilities.

All of the facilities that we visited develop individualized education plans for each of their students. According to staff, about 30 to 60 percent of the juveniles had been receiving special education services in their home school districts at the time they were placed in the residential facilities. Most had received special services for emotional and behavioral disorders, and a smaller percentage had learning disabilities. Typically, these students continue to receive instruction from teachers with special education licenses when they arrive at a residential facility.²⁵

24 Martin Gold and D. Wayne Osgood, *Personality and Peer Influence in Juvenile Corrections* (Westport, CT: Greenwood Press, 1992), 214.

25 One of the residential facilities we visited (Sauk Centre) was out of compliance with state and federal special education rules until recently because it had no teachers certified to instruct students with emotional and behavioral disorders, and it had no arrangements with local school districts to purchase special services for this population. However, in Fall 1994, the facility hired a teacher certified to instruct emotionally and behaviorally disordered students.

Few residential facilities have year-round school.

In the residential facilities that are not operated by the Department of Corrections, teachers are employed by local school districts, and their schedules follow those of local schools. Thus, there are about five weeks during the summer when there is no school for juveniles at the Hennepin County Home School, Minnesota's largest single facility for juvenile offenders. In contrast, the teachers at the state-run juvenile facilities are employees of the Department of Corrections, and they provide instruction throughout the year. However, staff at the state facilities told us that they sometimes have difficulty finding substitute teachers when teachers are on vacation or ill. The legislatively-created Task Force on Juvenile Programming, Evaluation, and Planning recently recommended that the Department of Education require residential facilities to provide year-round schooling.²⁶

Most residential facilities, even the larger ones, do not have enough students or staff to offer a wide variety of elective courses, but some have developed specialized vocational programs in areas such as small engine repair, printing, and food services. One facility that we visited (Woodland Hills) provides transportation so that selected juveniles can attend courses at a local technical college. Other facilities have tried to provide "character education" that instills in students a sense of responsibility, self-confidence, tolerance, self-reliance, and respect for others.

The Minnesota Department of Education has done limited monitoring of residential facilities.

State rules require education programs at DHS-licensed and DOC-licensed facilities to meet standards set by the Minnesota Department of Education, but we found that the Department of Education has done limited compliance monitoring of individual facilities. The department reviewed the Sauk Centre facility in 1994 and the Red Wing facility in 1993, but Department of Education staff told us that these facilities had not been monitored for many years before these reviews. The education programs at Thistledeew Camp and St. Croix Camp were reviewed in 1992 as part of reports on the school districts in which they are located. The department has not conducted reviews of the educational programs at Woodland Hills, Totem Town, or the Hennepin County Home School. Department of Education staff told us that they hope to monitor residential facilities on a three-year cycle in the future.

Several of the facilities that we visited administer achievement tests to juveniles when they are admitted to the facility and when they are released. For instance, staff at the Department of Correction's Thistledeew Camp told us that, on average, students improve by more than two grade levels in reading and math during stays of less than four months.²⁷ But it is difficult to know whether juveniles' retain and continue these educational improvements when they return to their home communities. None of the facilities that we visited formally measure educational progress after students return home.

26 *Report of the Task Force on Juvenile Programming, Evaluation, and Planning* (December 1994), 23.

27 We did not evaluate the reliability and validity of the tests used by facilities to measure changes in student achievement. Some education staff noted that some juveniles are uncooperative or resentful when they arrive at a facility, which could affect their preliminary test results.

SUMMARY

This chapter supplemented the measures of reoffense presented in Chapter 3 with more subjective measures of facility effectiveness. In our surveys, county officials expressed higher levels of concern about the programs at Red Wing and Sauk Centre than about other large facilities that serve juvenile offenders. This may partly reflect the more serious and chronic juvenile populations served at these facilities, but it also reflects perceptions of program shortcomings reported by many counties. The Red Wing and Sauk Centre facilities had increases in their resident populations during the past year, which, combined with already low staffing levels, sometimes made it difficult for them to provide an optimum level of services. The Department of Corrections opened new residences at these facilities to address crowding, but both facilities remain short-staffed. This could limit their ability to implement creative treatment approaches with those offenders who do not respond to the facilities' "positive peer culture" model of treatment.

Some of the characteristics that county officials look for in residential facilities are a willingness to provide individualized services, work with difficult offenders, and work with the families of offenders. In all of these areas, county staff told us that there is considerable room for improvement in Minnesota's system of juvenile facilities. County staff also told us that aftercare programs in the community are as important as the programs offered by residential facilities, but they said that these services are often lacking.

Discussion

CHAPTER 5

The recent national increases in serious juvenile crime has many people searching for solutions to this problem. Our report looked at one of Minnesota's many existing responses to juvenile crime: court-ordered placement of juveniles in residential facilities. In this chapter, we summarize key findings from our study and suggest future directions for policy makers. We asked:

- **What can be done to address the problem of juvenile crime and juvenile recidivism?**
- **Should the reoffense rates of Minnesota's juveniles be tracked in the future and, if so, how should this be done?**

ADDRESSING JUVENILE CRIME AND RECIDIVISM

Although Minnesota's rate of juvenile arrests for serious crimes against persons is below the national average, the Minnesota and national rates have both risen in recent years. It is possible that tougher juvenile laws passed by the 1994 Legislature will help to reduce rates of juvenile crime. For example, laws that allow courts to designate certain offenders as "extended jurisdiction juveniles" will increase the sanctions that these offenders could face if they commit new offenses. New laws will also make it easier for juveniles to be tried as adults for serious crimes, which may increase the number of offenders committed to adult facilities.

It remains to be seen whether the threat of criminal sanctions will change the behavior of extended jurisdiction juveniles.

However, it remains to be seen whether the threat of criminal sanctions in adult courts will change juveniles' delinquent behaviors. In our study, we found that most juveniles who were certified as adults, sent to the correctional facility at St. Cloud, and released in 1991 have since returned to prison for new offenses. These offenders were apparently not sufficiently deterred from criminal behavior by the experience of living in prison and the threat of reincarceration for subsequent offenses. Our findings also suggest that the recent estimates about the number of prison beds needed in Minnesota to serve extended jurisdiction juveniles in the

next decade may be higher than the estimate of 325 recently developed by the Task Force on Juvenile Programming, Evaluation, and Planning.¹

Furthermore, many people question whether "get tough" approaches to juvenile offenders will address the underlying causes of these behaviors. For example, the task force whose recommendations were the basis for the 1994 Legislature's stricter juvenile sanctions concluded that "the juvenile justice system is not the solution to the increase in the seriousness of juvenile crime [T]he ultimate solution to juvenile crime lies in the strengthening of families and communities, and the implementation of prevention and early intervention programs."² Likewise, the federal Office of Juvenile Justice and Delinquency Prevention has suggested five key principles to address serious, violent, and chronic delinquency, and these represent a balance of preventive and responsive measures:

The federal government has suggested five principles to address serious, violent, and chronic delinquency.

- Strengthen the family in its primary responsibility to instill moral values and provide guidance and support to children;
- Support core social institutions--schools, religious institutions, and community organizations--in their roles of developing capable, mature, and responsible youth;
- Promote delinquency prevention as the most cost-effective approach to dealing with juvenile delinquency;
- Intervene immediately and effectively when delinquent behavior occurs to successfully prevent delinquent offenders from becoming chronic offenders or progressively committing more serious and violent crimes.
- Identify and control the small group of serious, violent, and chronic juvenile offenders who have committed felony offenses or have failed to respond to intervention and nonsecure community-based treatment and rehabilitation services offered by the juvenile justice system.³

At the request of the Legislature, our study focused primarily on residential facilities, which represent only one portion of the justice system's response to juvenile crime. A broader analysis would be required in order to determine whether Minnesota has implemented the proper mix of services: preventive and corrective, residential and non-residential. This was one reason that the 1994 Legislature established a task force to evaluate the full continuum of juvenile programs.⁴

¹ *Report of the Task Force on Juvenile Programming, Evaluation, and Planning* (St. Paul, December 1994), 44. The task force's estimate was based on the assumption that 25 percent of extended jurisdiction juveniles would be sent to prison for violating probation or parole, or committing a new offense. The task force estimated that the cost of constructing 325 new prison beds would be \$32.5 million.

² *Report of the Minnesota Supreme Court Advisory Task Force on the Juvenile Justice System* (January 1994), 3.

³ U.S. Department of Justice, Office of Juvenile Justice and Delinquency Programs, *Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders: Program Summary* (Washington, D.C., December 1993), 9-10.

⁴ *Minn. Laws* (1994), Ch. 576, Sec. 62.

Factors contributing to delinquency are complex.

However, our study did find that counties believe that community-based services for serious juvenile offenders are inadequate to meet existing needs. While many counties told us that they would like more community programs to serve specific types of offenders, such as those who are mentally ill or have committed sex offenses, the service need mentioned by more counties than any other was the need for structured activities for juveniles with their peers.

In our view, the programs at the residential facilities that we visited represent serious and sometimes ambitious interventions in the lives of delinquent youth. All of these programs are attempting to achieve goals that go beyond mere incarceration. Minnesota has not built "prisons" for juveniles, as some states have done, and facilities in Minnesota have tried to establish living environments that are conducive to rehabilitation. For example, in the late 1960s the state juvenile correctional facility at Red Wing was among the first facilities in the nation to implement the "positive peer culture" approach that many other facilities in Minnesota and elsewhere now employ.

During our visits to Minnesota residential facilities, program administrators usually articulated a clear program philosophy for their facilities, and they were convinced that their programs were having positive impacts on many youth. Likewise, many of the juvenile offenders at these facilities told us that they had learned important things in their programs, and they felt that they could return home and stay out of trouble with the law.

Nevertheless, the recidivism rates cited in this study will probably disappoint those who believe that rehabilitation should be an important goal of Minnesota's juvenile justice system. Our findings suggest that, for whatever reasons, the delinquent behaviors of most offenders were not ended by participating in programs at several of Minnesota's most-used residential facilities. Most residents of these facilities commit new offenses--often serious ones--after they leave the programs.

High rates of reoffense could reflect factors beyond program deficiencies.

Perhaps it is unrealistic to expect that serious and chronic juvenile offenders who have exhibited delinquent attitudes and behaviors over the course of a lifetime will decide to change as a result of a program lasting several months. The factors contributing to delinquency are complex and likely include broad societal problems, such as family dissolution, as well as inadequacies in services for offenders. Even some of the most highly rated facilities in our survey of Minnesota county officials had a sizable portion of their residents who, according to our analysis, reoffended following release. Also, Minnesota facilities' two-year reoffense rates were within the broad range of rates documented in studies elsewhere.

However, our survey of county officials indicated that there is room for improvement in Minnesota's services for serious offenders. The preferred residential programs seem to have certain characteristics, such as a strong commitment to working with families, a willingness to tailor programs to meet individual needs, the ability to get offenders to consider the consequences of their actions, and a well-trained and innovative staff. Our survey also indicated that Minnesota's high rates of reoffense could partly reflect inadequacies in community services for offenders released from facilities, rather than residential program shortcomings.

Juveniles whose attitudes change during a stay at a facility may, in the absence of adequate follow-up services, have difficulty resisting old habits and influences when they return home.

We did not compare the effectiveness of Minnesota's residential facilities with that of non-residential programs. However, it is worth noting that residential facilities are more expensive than nonresidential programs, due to higher levels of staffing and security, as well as the cost of meeting juveniles' daily living needs. It would not be unusual for a juvenile's stay of 200 days at a facility to have public costs of \$20,000 or more.⁵

Also, because residential programs are, by definition, away from offenders' homes, they often have more difficulties than non-residential programs working with family members and service providers in the juveniles' home communities. Some residential facilities are located in remote areas to discourage offenders from running away or to minimize outside influences, but these facilities sometimes have difficulty recruiting staff from the same cultural and racial backgrounds of the offenders they serve.

The higher cost of residential settings and their distance from offenders' homes are not, by themselves, reasons to prefer nonresidential to residential treatment approaches. Many people believe that the residential setting provides a therapeutic environment and a level of security that is necessary for effective services for certain offenders. Ultimately, we think that decisions about the proper mix of residential and nonresidential services should be based on better information about program results, as well as consideration of program costs.

TRACKING JUVENILE REOFFENSE RATES

This study was the first systematic review of Minnesota juvenile reoffense rates using data from court records of all 87 counties. We think that the reoffense rates documented here provide facility staff, policy makers, and administrators with a starting point for discussing whether the goals of the juvenile system are being met. It would be useful for similar analyses to be conducted in future years, for the purpose of comparison. In addition, the Legislature would benefit by having information on the reoffense rates of certain serious offenders, particularly extended jurisdiction juveniles.

There are some important impediments to replication of our recidivism analysis. First, juvenile court records are not public data. Facilities interested in tracking

5 If only 10 percent of graduates of these facilities change their delinquent behavior as a direct result of such a stay—which is a percentage higher than the average found among past studies cited in Chapter 3—then the public cost for each offender successfully rehabilitated by a program would be \$200,000, counting only the residential service costs. However, to evaluate whether such an investment is worthwhile, these costs should be compared with the public costs that would ultimately be incurred if the person continued to offend, including the costs of incarceration as an adult and the private costs incurred as a result of criminal activity. The Department of Corrections estimates that it would cost \$100,000 per bed to construct a 500-bed adult correctional facility, and operating costs per inmate would be nearly \$100 per day.

**Juvenile
reoffense rates
should be
studied and
reported
regularly.**

the new offenses of their "graduates" would find it difficult to gain access to these records. Even Department of Corrections staff do not have access to juvenile court records for offenders who are not currently under their supervision, according to that department's legal staff. Second, the state's central information system for juvenile court data is not easy to use for purposes of recidivism analysis. The system was established to record the individual actions of courts, and the history of actions for a given individual can only be retrieved with considerable effort. For example, to determine a juvenile's offense history requires a separate search of court records for each year in which offenses may have occurred. Also, depending on the practices of individual courts, juvenile offenders may have multiple identification numbers within a single county, or they may have different identification numbers for different counties in which they have lived.

We think that regular reporting on rates of juvenile reoffense could help to (1) create incentives for improved performance by facilities, and (2) improve the information available for legislative discussions and decisions. An important goal of the juvenile justice system is to reduce reoffenses by adjudicated delinquents, regardless of whether the services used are residential or nonresidential, and regardless of whether the services aim toward rehabilitation or punishment. Thus, juvenile recidivism is an important measure of the juvenile justice system's effectiveness, even if it is more limited as a measure of the effectiveness of individual facilities or programs. We recommend that:

- The Department of Corrections should regularly report reoffense rates for offenders committed to the commissioner. The department should also report the reoffense rates of selected other offenders, such as extended jurisdiction juveniles, violent offenders, or offenders released from selected residential facilities that the department licenses but does not operate.
- The Legislature should, in state law, authorize the Department of Corrections to (1) obtain the names of juvenile offenders served by residential facilities in Minnesota, and (2) have access to juvenile court records for the purpose of preparing regular reports on rates of juvenile reoffense. To protect the privacy of juvenile records, the Legislature should require the department to publicly release only summaries of juvenile data that do not disclose information on individual juveniles.

Because there is longstanding concern about the privacy of juvenile records, we have not recommended making juvenile court records available for analysis by individual facilities. To ensure that records are properly handled, we think it would be preferable for a single agency--the Department of Corrections--to oversee analysis of these records for research purposes and properly instruct staff in their use. If individual facilities are interested in finding out the reoffense rates of their former residents, and if such analyses are not part of the department's planned workload, it might also be possible for the department to charge facilities for conducting this research.

We think the implementation of such a system for tracking juvenile reoffense rates should be a topic of discussion for the Criminal and Juvenile Justice Information Policy Group, created by the 1993 Legislature. This group consists of the commissioner of corrections, commissioner of public safety, state court administrator, and chair of the sentencing guidelines commission. It is charged with ensuring that various justice system databases are up-to-date, accurate, and integrated, and that users are properly trained. The policy group must make recommendations for legislative changes or appropriations in December of each even-numbered year. We recommend that:

- **As part of its required biennial reports, the Criminal and Juvenile Justice Information Policy Group should report to the Legislature on progress toward implementation of a system for tracking and reporting rates of juvenile reoffense.**

The 1994 Legislature required the Supreme Court to perform initial analysis and design work for a juvenile criminal history system.⁶ In order to make existing law enforcement and court data systems useful for tracking juvenile offenders, we suggest that the Supreme Court:

- **Consider asking juvenile courts to report names and social security numbers (or birthdates) into its State Judicial Information System, to provide consistent identifiers that can be used to track individuals across counties;**
- **Work with the Bureau of Criminal Apprehension to develop improved ways to track a juvenile's criminal record into adulthood; and**
- **Periodically audit the accuracy and completeness of the juvenile court database, and ensure that local courts are submitting offense-related data in a consistent manner.**

It will likely be necessary for Supreme Court or Department of Corrections staff to devote time to computer programming that would enable easier analysis of the juvenile records, but we did not estimate how much time this might require. It is possible that the task of preparing the juvenile court records for analysis will be a more difficult task than the reoffense analysis.

We think that any reports on reoffense rates should be accompanied by a discussion of the characteristics of the offenders, such as the number and type of prior offenses. It will always be difficult to compare Minnesota's rates of reoffense with those of other states, due to differences in offender characteristics and program types. Thus, we think the Department of Corrections should start now to develop consistent and regular means of measuring performance that can be compared with the state's previous levels of performance. Such information could be helpful for policy making and program management purposes.

The Supreme Court should consider improvements to the systems used to track juvenile offenses.

⁶ *Minn. Laws* (1994), Ch. 576, Sec. 67, Subd. 8.

THE NEED FOR A COHERENT SYSTEM OF FACILITIES

Regulation of juvenile facilities should be better coordinated.

Residential facilities that serve juvenile offenders may be licensed by one of two state departments (Corrections and Human Services). The two departments have separate regulations for the facilities that they license, despite many similarities in the program goals and the types of juveniles served. Counties typically develop working understandings of individual facilities, but they usually have little information about facility effectiveness. There is somewhat better information available on the residents served by facilities, but some counties expressed to us a desire for better information on the programs that facilities offer. Because this service system can result in inconsistent services to juveniles and confusion among persons making placements, we recommend that:

- **The Legislature should require the Departments of Corrections and Human Services to develop more consistent general licensing requirements for juvenile residential facilities by mid-1997.**

This is consistent with a recommendation recently made recently by the legislatively-mandated Task Force on Juvenile Programming, Evaluation and Planning. We also think the two departments should develop coordinated approaches for collecting information on client populations, program goals, and program effectiveness.

Finally, in our view, the services provided by the state's two facilities for offenders committed to the Commissioner of Corrections (at Red Wing and Sauk Centre) do not have a sufficiently clear "niche" in the residential system. In the juvenile placement process, these two facilities are distinct from other facilities primarily because (1) they cannot refuse to accept any juvenile offenders committed by any of the state's 87 juvenile courts, and (2) they pay for the full cost of juveniles placed by the 56 counties who do not participate in the Community Corrections Act. However, despite having many of the state's most serious and chronic offenders, these facilities have lower staffing levels and shorter stays than many other facilities. Some counties use these facilities reluctantly, and some bypass them in order to place serious offenders in out-of-state facilities.

Stronger efforts may be needed to change the behaviors of Minnesota's most difficult offenders.

While the costs of residential programs that serve juveniles for several months can be substantial, the costs of incarcerating these same offenders as adults can be more so, in many cases. In our view, it is important that the Red Wing and Sauk Centre facilities--in cooperation with the counties and juvenile courts they help to serve--make the strongest possible efforts to change the delinquent behaviors of youth whose behaviors have not been changed by previous interventions. In order to regain the confidence of many of Minnesota's counties and juvenile courts, we recommend that:

- **The Commissioner of Corrections should, with input from county officials, juvenile court officials, and facility employees, develop a**

plan for helping the Red Wing and Sauk Centre facilities to address the concerns of counties and courts and, where necessary, identify ways to improve facility services and community aftercare for the state's most difficult offenders.

Given the fact that these facilities serve more serious and chronic offenders than other facilities, the commissioner should consider the need for lower resident-to-staff ratios at the Red Wing and Sauk Centre facilities. The commissioner should also consider alternative ways of providing services to offenders who do not respond to the "positive peer culture" approach used by these facilities.

As an alternative to internal improvements in these two programs, the commissioner could contract with facilities other than Red Wing and Sauk Centre in order to more effectively meet individual needs or relieve facility crowding. The commissioner has occasionally contracted with other facilities for services to juvenile females. However, given the fact that many facilities are operating near capacity, this might not be an effective option. Another alternative would be admission guidelines for the Red Wing and Sauk Centre facilities, which might help to relieve facility crowding. In Chapter 2, we suggested that the commissioner wait until Minnesota's judicial districts have developed disposition guidelines before considering this option. A final option would be to require the Red Wing and Sauk Centre facilities to recover more of their costs from counties. Increasing these facilities' dependence on county revenues might create incentives for the facilities to develop higher quality programs in order to sustain viable facility populations, and higher per diems might address facility crowding by discouraging some commitments. However, this approach was considered and rejected by the 1994 Legislature. For now, we believe that the commissioner should try to find ways to tailor existing services to ensure that they have the greatest possible impact on juvenile offenders.

Appendix A: 1993 Arrests of Juveniles for Serious Crimes, by County

County	Serious Crimes	Arrests per 100 Juveniles	County	Serious Crimes	Arrests per 100 Juveniles
Aitkin*	23	1.62	Mower	159	3.59
Anoka*	1,536	4.50	Murray	0	0.00
Becker	91	2.58	Nicollet	110	3.41
Beltrami	262	5.61	Nobles*	98	4.05
Benton	61	1.50	Norman*	0	0.00
Big Stone	15	2.07	Olmsted*	555	4.29
Blue Earth*	277	5.16	Otter Tail	158	2.48
Brown	63	1.87	Pennington	101	6.46
Carlton*	114	2.94	Pine	22	0.74
Carver	214	3.25	Pipestone	15	1.14
Cass	22	0.77	Polk*	71	1.70
Chippewa*	6	0.36	Pope	16	1.13
Chisago	89	1.94	Ramsey*	2,926	5.94
Clay	163	2.91	Red Lake*	0	0.00
Clearwater	12	1.04	Redwood	85	3.83
Cook*	3	0.70	Renville	10	0.45
Cottonwood	17	1.14	Rice*	194	3.28
Crow Wing*	104	1.87	Rock*	0	0.00
Dakota*	1,236	3.24	Roseau	35	1.62
Dodge*	11	0.48	St. Louis*	720	3.37
Douglas	134	3.70	Scott	208	2.48
Faribault	20	0.93	Sherburne	164	2.51
Fillmore*	0	0.00	Sibley	1	0.05
Freeborn	148	3.91	Steams*	702	4.69
Goodhue	107	1.96	Steele	135	3.41
Grant	7	0.90	Stevens	19	1.72
Hennepin*	4,202	4.21	Swift*	20	1.46
Houston	22	0.90	Todd*	40	1.16
Hubbard	43	2.14	Traverse	8	1.49
Isanti	43	1.09	Wabasha	13	0.49
Itasca	48	0.88	Wadena*	57	3.37
Jackson	22	1.56	Waseca	14	0.62
Kanabec	66	3.52	Washington*	644	2.98
Kandiyohi*	300	5.93	Watsonwan	18	1.18
Kittson	0	0.00	Wilkin	33	3.49
Koochiching*	67	3.69	Winona	200	3.78
Lac Qui Parle*	14	1.29	Wright	210	2.01
Lake*	16	1.40	Yellow Medicine*	6	0.41
Lake of the Woods	2	0.38			
LeSueur	23	0.71	State Total	17,989	3.30
Lincoln	0	0.00			
Lyon	84	2.83			
McLeod	183	4.28			
Mahnomen	11	1.42			
Marshall	10	0.66			
Martin	103	3.62			
Meeker	29	1.00			
Mille Lacs	74	2.88			
Morrison*	125	2.83			

Note: Includes arrests of persons ages 10-17.

Source: Program Evaluation Division analysis of Department of Public Safety data; 1994 county population estimates from Minnesota Planning.

*County that participates in the Minnesota Community Corrections Act.

Reoffense Rates of Juvenile Offenders in Other States: Selected Studies

APPENDIX B

STATE	SAMPLE OF OFFENDERS	REOFFENSE RATES
Washington ¹	926 males released from Division of Juvenile Rehabilitation residential facilities in 1982. Average age at first conviction was 13.9, and average age at 1982 release was 16.9. 53 percent had committed at least one violent offense, and the juveniles averaged 10 prior convictions.	Reconvicted <ul style="list-style-type: none">• 68% within 2 years• 73% within 3 years• 80% within 6 years Recommitted to juvenile or adult institutions: <ul style="list-style-type: none">• 40% within 6 years
Pennsylvania ²	527 males placed in 10 residential facilities in 1984. Most were 14 or younger at first arrest, most had at least 3 prior arrests, and most had at least 2 prior convictions. 55 percent were alleged to have committed at least one offense against a person.	Rearrested: <ul style="list-style-type: none">• 48% within 1 year• 57% within 2 years Reconvicted: <ul style="list-style-type: none">• 28% within 1 year• 31% within 2 years Recommitted to residential facility: <ul style="list-style-type: none">• 21% within 1 year• 23% within 2 years
Massachusetts ³	819 youth (87 percent male) released from Department of Youth Services residential facilities in 1984-85. Average age at first petition was 13.9, and the juveniles averaged 3.9 petitions prior to commitment. 20 percent of commitment offenses were offenses against a person.	Repetitioned: <ul style="list-style-type: none">• 57% within 1 year• 82% within 3 years
California ⁴	2,086 juveniles (96 percent male) released from California Youth Authority institutions in 1981-82. Most youth were first arrested at age 14 or younger, and most had 3 or more prior sustained petitions. 75 percent of the youth had committed offenses against persons or weapons violations.	Rearrested: <ul style="list-style-type: none">• 70% within 1 years• 84% within 3 years Reconvicted: <ul style="list-style-type: none">• 69% within 3 years

STATE	SAMPLE OF OFFENDERS	REOFFENSE RATES
California ⁵ (county residential facilities)	2,835 juveniles (93 percent male) released or removed in 1984 from county "probation camps," which are the last local alternative prior to a commitment to a state institution. Camp youth are generally the most delinquent of California's probation population, accounting for 5 percent of this group. Camp youth averaged 1.5 sustained petitions prior to their commitment offense.	Reconvicted: <ul style="list-style-type: none"> • 54% within 1 year (55 percent among males) • 65% within 2 years (67 percent among males; 62 percent among males who completed their camp program)
New York ⁶	743 juveniles (90 percent male) released for the first time from Division of Youth facilities in 1983-85, following stays of at least 6 months. The median age at release was 16, and 40 percent of the youth had been committed for offenses against persons.	Rearrested: <ul style="list-style-type: none"> • 53% within 1 year • 70% within 2 years • 76% within 3 years Reconvicted: <ul style="list-style-type: none"> • 43% within 1 year • 59% within 2 years • 67% within 3 years Sentenced to prison or jail: <ul style="list-style-type: none"> • 27% within 1 year • 40% within 2 years • 54% within 3 years
Florida ⁷	155 male offenders released from training schools in 1991, 823 juveniles (82 percent male) released from halfway houses, 135 males released from residential programs for younger offenders, and 104 males released from "youth challenge" camps. Average ages of youth released were 16.0 for the training schools and halfway houses, 13.8 for the young offender programs, and 16.1 for the challenge programs. (The average ages are important because the reoffense data only include actions occurring in the juvenile system, not the adult system.) The training schools are classified as "high risk residential programs" and are intended for youth who are greater threats to public safety than those in the other programs cited here.	Rearrested: <ul style="list-style-type: none"> • 70% within 1 year at training schools • 70% within 1 year at halfway houses • 93% within 1 year at young offender programs • 80% within 1 year at challenge camps Readjudicated as delinquent: <ul style="list-style-type: none"> • 32% within 1 year at training schools • 42% within 1 year at halfway houses • 75% within 1 year at young offender programs • 40% within 1 year at challenge camps
Utah ⁸	247 juveniles (96 percent male) released from Utah Youth Corrections facilities. These included 66 from secure facilities, 68 from community group or foster homes, and 113 from secure, short-term diagnostic facilities followed by community programs. About 36 percent had committed offenses against persons, and 21 percent had committed serious violent offenses. The juveniles averaged nearly 13 prior offenses.	Rearrested: <ul style="list-style-type: none"> • 79% within 1 year at secure facilities • 77% within 1 year at community facilities • 70 % within 1 year at diagnostic and community facilities

STATE	SAMPLE OF OFFENDERS	REOFFENSE RATES
Seven cities ⁹	970 "very serious chronic juvenile offenders," with a minimum of three prior adjudicated offenses.	Repetition within 2 years: <ul style="list-style-type: none"> • 72% - Camden • 66% - Chicago • 71% - Fresno • 47% - Kansas City • 51% - Pensacola • 87% - Providence • 64% - San Francisco
Texas ¹⁰	2,534 youths released from training schools in 1984-85	Reincarcerated in juvenile or adult facilities: <ul style="list-style-type: none"> • 43% within 3 years
Illinois ¹⁰	1,197 youths released from Illinois juvenile institutions in 1983	Reincarcerated in juvenile or adult facilities: <ul style="list-style-type: none"> • 49% within 3 years
Wisconsin ¹⁰	539 youths released from state corrections programs in 1984	Reincarcerated in juvenile or adult facilities: <ul style="list-style-type: none"> • 34% within 3 years

Notes:

¹ John C. Steiger and Cary Dizon, *Rehabilitation, Release and Reoffending: A Report on the Criminal Careers of the Division of Juvenile Rehabilitation "Class of 1982"* (Olympia, WA: Department of Social and Health Services, May 1991).

² Lynn Goodstein and Henry Sontheimer, *A Study of the Impact of 10 Pennsylvania Residential Placements on Juvenile Recidivism* (Shippensburg, PA: Center for Juvenile Justice Training and Research, September 1987).

³ Patricia A. Steele, James Austin, and Barry Krisberg, *Unlocking Juvenile Corrections: Evaluating the Massachusetts Department of Youth Services* (San Francisco: National Council on Crime and Delinquency, May 1989).

⁴ Christopher Baird, *Development of Risk Prediction Scales for the California Youth Offender Parole Board* (San Francisco: National Council on Crime and Delinquency, 1987).

⁵ Ted Palmer and Robert Wedge, "California's Juvenile Probation Camps: Findings and Implications," *Crime and Delinquency* (April 1989), 234-253.

⁶ New York State Division for Youth, *The Need for and Effectiveness of New Intervention Strategies for the Rehabilitation of Delinquent Youth and Success/Recidivism Rates* (Albany, NY: Bureau of Program Analysis, September 1989).

⁷ Florida Department of Health and Rehabilitative Services, *Florida's Juvenile Justice Programs: Outcome Evaluation Report* (Tallahassee, December 31, 1992).

⁸ Barry Krisberg, James Austin, Karen Joe, and Patricia Steele, *The Impact of Juvenile Court Sanctions: A Court That Works* (San Francisco: National Council on Crime and Delinquency, January 1988).

⁹ Paul J. Gruenewald and Barbara R. West, "Survival Models of Recidivism Among Juvenile Delinquents," *Journal of Quantitative Criminology*, 5, No. 3 (1989), 215-229.

¹⁰ Unpublished data, cited in Steele et al., *Unlocking Juvenile Corrections* (1989).

Appendix C

RESIDENTIAL FACILITIES FOR JUVENILE OFFENDERS

Survey of County Juvenile Corrections Supervisors and Social Service Directors

County: _____

Person completing survey: _____ Phone Number: _____

Instructions: Please base your responses to all questions in this survey on your county's experiences in the past three years. All questions pertain to facilities and services for adjudicated juvenile offenders, not children in need of protective services, juveniles requiring detention services, or children in foster homes.

This survey pertains to facilities licensed by (1) the Minnesota Department of Corrections (DOC), or (2) the Minnesota Department of Human Services (DHS) as "Rule 5" or "Rule 8" facilities. Question #13 of the survey lists many of the larger such facilities and the department that licenses each.

Please use the back of the survey's last page for miscellaneous comments or suggestions regarding juvenile programs. You may also use this space or a separate sheet to explain your responses to individual questions.

Please return the survey in the enclosed envelope no later than October 3, 1994.

ADEQUACY OF RESIDENTIAL FACILITIES AND COMMUNITY SERVICES:

1. In your view, how often do residential facilities adequately tailor their programs to meet the individual needs of juveniles?

Always/ <input type="checkbox"/> Almost Always CS=17% SSD=4%	<input type="checkbox"/> Often CS=53% SSD=25%	<input type="checkbox"/> Sometimes CS=25% SSD=50%	Rarely/ <input type="checkbox"/> Never CS=5% SSD=19%	Don't <input type="checkbox"/> Know CS=0 SSD=1%
--	--	--	--	---

2. Do facilities make sufficient efforts to work with the families of juvenile offenders?

Always/ <input type="checkbox"/> Almost Always CS=16% SSD=7%	<input type="checkbox"/> Often CS=41% SSD=15%	<input type="checkbox"/> Sometimes CS=42% SSD=40%	Rarely/ <input type="checkbox"/> Never CS=1% SSD=36%	Don't <input type="checkbox"/> Know CS=0 SSD=1%
--	--	--	--	---

3. How often are juvenile offenders' mental health needs adequately addressed when they are placed at residential facilities that are licensed by:

- a. The Minnesota Department of Human Services?

Always/ <input type="checkbox"/> Almost Always CS=22% SSD=10%	<input type="checkbox"/> Often CS=43% SSD=42%	<input type="checkbox"/> Sometimes CS=29% SSD=40%	Rarely/ <input type="checkbox"/> Never CS=1% SSD=6%	Don't <input type="checkbox"/> Know CS=4% SSD=3%
---	--	--	---	--

- b. The Minnesota Department of Corrections?

Always/ <input type="checkbox"/> Almost Always CS=14% SSD=3%	<input type="checkbox"/> Often CS=42% SSD=13%	<input type="checkbox"/> Sometimes CS=34% SSD=46%	Rarely/ <input type="checkbox"/> Never CS=3% SSD=29%	Don't <input type="checkbox"/> Know CS=7% SSD=10%
--	--	--	--	---

NOTE: CS = corrections supervisors, SSD = social service directors. Non-responses are included in the "don't know" category. Responses for each question may not total 100 percent due to rounding.

4. In general, what impact do you believe that out-of-home residential facilities have had on the likelihood that your county's juveniles will commit future offenses?

CS SSD

- | | | | |
|----|----|-----------------------------|---|
| 9% | 1% | <input type="checkbox"/> a. | Facilities have significantly reduced juveniles' likelihood of re-offending |
| 72 | 58 | <input type="checkbox"/> b. | Facilities have somewhat reduced juveniles' likelihood of re-offending |
| 14 | 32 | <input type="checkbox"/> c. | Facilities have had little or no impact on juveniles' likelihood of re-offending |
| 3 | 3 | <input type="checkbox"/> d. | Other: _____ |
| 1 | 6 | <input type="checkbox"/> e. | Don't know |

5. For juvenile offenders who go through residential programs, which of the following do you think has more impact on their likelihood of reoffending?

- | | | | |
|----|----|-----------------------------|---|
| 4% | 4% | <input type="checkbox"/> a. | The quality of the program or treatment provided at the residential facility |
| 17 | 28 | <input type="checkbox"/> b. | The availability and quality of community services <u>after</u> the juvenile leaves the residential facility |
| 76 | 63 | <input type="checkbox"/> c. | A and B have equal impact |
| 3 | 6 | <input type="checkbox"/> d. | Don't know |

6. Which of the following best reflects your county staff's views on **length of stay** in residential facilities?

- | | | | |
|----|-----|-----------------------------|--|
| 7% | 0 | <input type="checkbox"/> a. | Facilities should keep juveniles for as long as it takes to rehabilitate them. |
| 41 | 19% | <input type="checkbox"/> b. | Facilities should keep juveniles for as long as it takes them to complete the goals in their individual plans. |
| 1 | 0 | <input type="checkbox"/> c. | Each facility should have a uniform length of stay for its residents. |
| 46 | 68 | <input type="checkbox"/> d. | Facilities should vary the length of stay depending on each juvenile's goals and needs, but facilities should have an upper limit on the time that juveniles can stay. |
| 4 | 8 | <input type="checkbox"/> e. | Other: _____ |
| 1 | 4 | <input type="checkbox"/> f. | Don't know |

7. Which of the following statements most closely reflects your county staff's views about the **variety of treatment and programming approaches** that are available in Minnesota residential facilities for juvenile offenders?

- | | | | |
|-----|-----|-----------------------------|--|
| 46% | 24% | <input type="checkbox"/> a. | Facilities are using a sufficiently wide variety of approaches with juveniles. |
| 25 | 44 | <input type="checkbox"/> b. | There are too many facilities that are using the same approaches. |
| 13 | 14 | <input type="checkbox"/> c. | Other: _____ |
| 16 | 18 | <input type="checkbox"/> d. | Don't know |

8. Which of the following factors contribute more to successful residential programming?

- | | | | |
|----|----|-----------------------------|--|
| 1% | 1% | <input type="checkbox"/> a. | The content of the facilities' programs (type of treatment or services offered) |
| 26 | 25 | <input type="checkbox"/> b. | The quality of the staff who provide the treatment or services |
| 70 | 71 | <input type="checkbox"/> c. | A and B are equally important. |
| 3 | 3 | <input type="checkbox"/> d. | Don't know |

9. Do you think that facilities make sufficient efforts to get offenders to consider the **consequences of their actions**?

- | | | | | |
|---|--------------------------------|------------------------------------|---|--|
| <input type="checkbox"/> Always/
Almost Always | <input type="checkbox"/> Often | <input type="checkbox"/> Sometimes | <input type="checkbox"/> Rarely/
Never | <input type="checkbox"/> Don't
Know |
| CS=34% SSD=13% | CS=43% SSD=39% | CS=18 SSD=39% | CS=3% SSD=4% | CS=1% SSD=6% |

10. Are the residential programs used by your county sufficiently sensitive to cultural or ethnic differences in their resident populations?

☐ Always/
Almost Always CS=18% SSD=13%
 ☐ Often CS=42% SSD=28%
 ☐ Sometimes CS=30% SSD=31%
 ☐ Rarely/
Never CS=1% SSD=13%
 ☐ Don't
Know CS=8% SSD=17%

11. Do you have difficulty finding residential facilities that are willing to accept referrals of resistive, aggressive, or difficult-to-control juveniles?

☐ Always/
Almost Always CS=25% SSD=36%
 ☐ Often CS=41% SSD=25%
 ☐ Sometimes CS=25% SSD=31%
 ☐ Rarely/
Never CS=7% SSD=3%
 ☐ Don't
Know CS=3% SSD=6%

12. In facilities that accept juveniles who have been resistive, aggressive, or difficult to control, do the programs adequately address these juveniles' needs?

☐ Always/
Almost Always CS=5% SSD=6%
 ☐ Often CS=26% SSD=17%
 ☐ Sometimes CS=54% SSD=64%
 ☐ Rarely/
Never CS=8% SSD=8%
 ☐ Don't
Know CS=7% SSD=6%

13. Please rate your satisfaction with the following facilities' residential programs. *Do not* base your rating on detention programs or programs that serve children in need of protective services. (Please mark "No basis for rating" if your county has placed two or fewer residents at this facility in the past three years or if you do not think you have sufficient experience with the facility to offer a judgment.)

Facility (and licensing agency)	(1) Very Satisfied		(2) Satisfied		(3) Neither Satisfied nor Dissatisfied		(4) Dissatisfied		(5) Very Dissatisfied		(6) No Basis for Rating	
	CS	SSD	CS	SSD	CS	SSD	CS	SSD	CS	SSD	CS	SSD
a. Anoka County Juvenile Center (DOC)	5	2	9	6	0	2	1	0	0	0		
b. Austin Youth Ranch (DHS)	8	1	19	14	5	8	0	1	0	0		
c. Bar None Residential Services, Anoka (DHS)	0	1	11	13	0	5	3	7	1	0		
d. Central Minnesota Community Corrections Center, Brainerd (DOC)	2	0	13	3	3	3	1	3	0	0		
e. Gerard of Minnesota, Austin (DHS)	1	0	3	5	0	0	0	1	0	1		
f. Gilfillan Center, Bemidji (DHS)	7	6	18	24	2	5	1	3	1	0		
g. Hennepin County Home School, Minnetonka (DOC) ^a	1	0	7	3	2	2	0	3	1	1		
h. Isanti Boys Ranch (DHS)	2	1	16	10	3	5	1	1	0	1		
i. Leo Hoffman Center, St. Peter (DHS)	10	6	24	15	1	11	4	7	1	0		
j. Mille Lacs Academy, Onamia (DOC)	11	6	24	10	3	8	0	5	1	1		
k. Minnesota State Correctional Facility, Red Wing (DOC)	2	0	11	4	8	6	1	2	1	2		
l. Minnesota State Correctional Facility, Sauk Centre (DOC)	2	0	23	12	11	12	11	7	4	2		
m. Minnesota State Correctional Facility, St. Cloud (DOC) (for juveniles certified as adults)	(Results not reported due to small number of counties using this facility)											
n. Northwestern Regional Juvenile Center, Bemidji (DOC)	8	1	6	6	0	4	1	2	0	0		

^aThis facility's long-term program for male person and property offenders is not open to counties other than Hennepin, unlike its short-term program for males and its sex offender and female offender programs.

13. Continued . . .

Facility (and licensing agency)	(1) Very Satisfied		(2) Satisfied		(3) Neither Satisfied nor Dissatisfied		(4) Dissatisfied		(5) Very Dissatisfied		(6) No Basis for Rating
	CS	SSD	CS	SSD	CS	SSD	CS	SSD	CS	SSD	
o. Northwood Children's Home/ Northwood West, Duluth (DHS)	8	9	12	10	0	5	1	1	0	1	
p. PORT of Crow Wing County, Brainerd (DOC)	1	4	16	14	5	3	3	4	0	0	
q. Prairie Lakes Center, Willmar (DOC)	6	5	29	11	8	11	0	2	1	1	
r. St. Cloud Children's Home (DHS)	5	6	19	23	7	10	3	4	0	3	
s. St. Croix Camp for Boys, Sandstone (DOC)	15	11	17	15	3	3	0	0	0	0	
t. St. Croix Camp for Girls, Sandstone (DOC)	17	10	24	23	2	2	0	0	0	0	
u. St. Joseph's Home for Children, Minneapolis (DHS)	3	2	5	7	0	5	1	2	0	0	
v. Thistledew Camp, Togo (DOC)	28	11	25	35	1	8	1	0	0	1	
w. Timberland Adolescent Program, Brainerd (DHS)	0	5	8	11	2	9	0	3	0	2	
x. Totem Town, St. Paul (DOC)	(Results not reported due to small number of counties using this facility)										
y. Willmar Regional Treatment Center, Adolescent Treatment (DHS)	2	5	20	15	1	7	5	4	0	0	
z. Wilson Center, Faribault (DHS)	0	1	4	3	2	3	1	2	0	2	
aa. Woodland Hills, Duluth (DHS)	18	4	23	19	0	3	0	1	0	0	

14. Please list up to three residential facilities that, in your judgment, have provided the **most effective services** for your county's juvenile offenders. For each program, briefly list characteristics particular to that program that make it more effective than others you have used or considered.

(See results in Chapter 4)

15. Please list up to three residential facilities that have provided the **least effective services** for your county's juvenile offenders. For each program, briefly list characteristics particular to that program that make it less effective than others you have used or considered.

(See results in Chapter 4)

16. During the past three years, are there any residential facilities that your county staff have stopped recommending for use in out-of-home placements due to dissatisfaction with services?

CS	SSD		
24%	36%	<input type="checkbox"/> a.	Yes (If yes, please list: _____)
57	51	<input type="checkbox"/> b.	No
20	13	<input type="checkbox"/> c.	Don't know

17. How often is the effectiveness of out-of-home placements impeded by the distance that juvenile offenders are from family, friends, and supportive services in their home communities?

<input type="checkbox"/> Always/ Almost Always CS=11% SSD=31%	<input type="checkbox"/> Often CS=34% SSD=39%	<input type="checkbox"/> Sometimes CS=43% SSD=24%	<input type="checkbox"/> Rarely/ Never CS=9% SSD=4%	<input type="checkbox"/> Don't Know CS=3% SSD=3%
---	--	--	---	--

18. Do juveniles have access to adequate and appropriate community-based services in your county after they have completed residential programs?

☐ Always/
Almost Always
CS=7% SSD=11%
 ☐ Often
CS=17% SSD=35%
 ☐ Sometimes
CS=50% SSD=36%
 ☐ Rarely/
Never
CS=25% SSD=15%
 ☐ Don't
Know
CS=1% SSD=3%

19. What are your county's greatest unmet needs for community-based, non-residential juvenile programming? (Select up to three: mark "1" for greatest unmet need, "2" for second-greatest need, and "3" for third-greatest need. If your county has no significant unmet needs, please leave this question blank.)

	CS		SSD	
	No. in top 3	No. listed as #1	No. in top 3	No. listed as #1
a. Mental health services	23	8	14	8
b. Educational services	6	1	8	3
c. Female offender programming	22	4	19	6
d. Sex offender services	24	12	35	15
e. Chemical dependency services	26	11	12	6
f. Suicide prevention services	2	1	6	2
g. Abuse victim services	6	2	5	0
h. Vocational guidance, preparation, and assistance	29	6	21	8
i. Structured activities with peers	35	11	36	12
j. Life skills training	26	7	21	1
k. Other (please specify)	17	10	21	8
l. Other (please specify):				
m. Other (please specify):				

PLACEMENT OF JUVENILE OFFENDERS:

20. If your county has difficulty placing certain types of residents in out-of-home residential facilities, please indicate which of the following populations of offenders have the greatest unmet needs. (Select up to three: mark "1" for greatest unmet need, "2" for second-greatest need, and "3" for third-greatest need. If your county has had no difficulties placing residents, please leave this question blank.)

	CS		SSD	
	No. in top 3	No. listed as #1	No. in top 3	No. listed as #1
a. Chemically dependent offenders	15	6	4	1
b. Sex offenders	17	6	22	9
c. Offenders with mental health needs	26	4	21	2
d. Developmentally disabled or low-functioning offenders	21	5	27	11
e. Aggressive, difficult-to-control offenders	57	41	50	27
f. Female offenders	11	2	8	4
g. Very young offenders (e.g., under age 14)	27	3	27	7
h. Offenders with limited English speaking skills	6	2	2	2
i. Offenders who are high risks for running away	20	2	22	3
j. Other (please specify):	7	3	4	2
k. Other (please specify):				
l. Other (please specify):				

21. When your county's staff make recommendations on dispositions to the juvenile court, how important is a facility's cost in your considerations?

CS	SSD		
11%	17%	<input type="checkbox"/>	a. Always/almost always important
21	42	<input type="checkbox"/>	b. Often important
49	26	<input type="checkbox"/>	c. Sometimes important
17	11	<input type="checkbox"/>	d. Rarely/never important
2	4	<input type="checkbox"/>	e. Other (please specify):

- 21f. If you stated that cost was "sometimes," "usually," or "always/almost always" important, please briefly describe an example of how cost plays a role in placement decisions.

22. How often does the presence of a waiting list at a preferred residential facility affect your recommendation to the court?

<input type="checkbox"/> Always/ Almost Always	<input type="checkbox"/> Often	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Rarely/ Never	<input type="checkbox"/> Don't Know
CS=26% SSD=15%	CS= 47% SSD=28%	CS=24% SSD=42%	CS=1% SSD=7%	CS=1% SSD=8%

23. For each of the following, please rate the adequacy of information that is available to your county's staff as they develop recommendations for residential placement of juvenile offenders:

	(1) Information is <u>Adequate</u>		(2) Need Somewhat Better Information		(3) Need Much Better Information		(4) Don't Know	
	CS	SSD	CS	SSD	CS	SSD	CS	SSD
a. The types of programs offered by individual residential facilities	67%	42%	28%	38%	4%	19%	1%	1%
b. The types of juveniles served by individual residential facilities	63	47	30	36	5	15	1	1
c. The effectiveness of programs offered by individual residential facilities	13	11	42	22	36	63	9	4
d. The satisfaction of families with programs at individual residential facilities	16	8	29	24	37	60	18	8

24. In your county's experience, how often are court dispositions based on sufficient consideration of juveniles' mental health needs?

<input type="checkbox"/> Always/ Almost Always	<input type="checkbox"/> Often	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Rarely/ Never	<input type="checkbox"/> Don't Know
CS=57% SSD=26%	CS=33% SSD=28%	CS=8% SSD=36%	CS=1% SSD=7%	CS=1% SSD=3%

- 24a. If you responded "often," "sometimes," or "rarely/never," please suggest ways for improving the consideration of mental health problems during the placement process.

25. Based on your observations, please rank which one of the following goals is typically **most important** in court placement decisions for your county's juveniles (mark with a "1"), and which one of the following goals is typically **least important** (mark with a "3").

		CS			SSD		
		<u>1</u>	<u>2</u>	<u>3</u>	<u>1</u>	<u>2</u>	<u>3</u>
_____	a. To rehabilitate the offenders, or to reduce their risks of reoffending	65%	21%	8%	63%	14%	14%
_____	b. To punish or hold offenders accountable for their actions by sending them to facilities where some freedoms are restricted	5	26	56	17	28	42
_____	c. To enhance public safety by placing juveniles under supervision or by removing them from their homecommunities	27	36	23	17	42	31

(Note: "Don't know" and non-responses not shown for this question.)

USE OF OUT OF HOME PLACEMENTS BY YOUR COUNTY:

(This question was answered only by correctional supervisors)

If information for the following question is maintained by other administrative units in your county, such as county social services, please obtain the relevant information from these staff. Please note that the question pertains only to residential placements of juvenile offenders, not placement of children needing protective services.

26. In the space below, please indicate the total number of days that your county's juveniles were placed out of home in group facilities licensed by the Minnesota Department of Corrections, the Minnesota Department of Human Services, or by other states in fiscal year 1994. (For example, if a county placed two residents, one at Red Wing for 150 days and one at the Austin Youth Ranch for 200 days, its total offender-days would be 350. Please exclude detention and foster home days, if possible.)

Total offender-days (July 1993-June 1994):

State total:	396,776
County median:	1,875
County range:	15 days - 124, 210 days

Descriptions of Facilities in Our Reoffense Analysis

APPENDIX D

This appendix provides descriptions of eight facilities whose former residents we tracked in our analysis of reoffense rates, discussed in Chapter 3. Our descriptions focus primarily on those portions of the programs that are specifically designed to address residents' delinquent behaviors. However, unless otherwise noted, all of the programs described in the following sections provide five to six hours of education daily, plus daily opportunities for recreation. In each of these facilities, staff work with each resident to develop behavior-related goals. There are opportunities in each of the facilities for residents to earn money, which can be used to make restitution payments to crime victims. Most programs have optional group meetings to address special issues such as chemical dependency. In each of the following programs, residents are expected to remain on the premises of their facilities unless they have staff permission to leave, although only the St. Cloud correctional facility operates with prison-level security.

Minnesota Correctional Facility at Red Wing

The state-run correctional facility at Red Wing admits juvenile males committed to the Commissioner of Corrections from 21 counties in southeastern Minnesota. More than half are from Hennepin County. Staff told us that most residents have had several prior out-of-home placements, and perhaps 40 percent have gang affiliations. Red Wing must accept all referred juveniles and cannot readily terminate uncooperative juveniles. As discussed in Chapter 1, Department of Corrections guidelines are used to set projected release dates, based on the number and severity of prior offenses. Except for residents who are discharged from the facility at their 19th birthdays, most residents committed to the commissioner are released to parole and may be returned to the facility for violations of the parole agreement.

Staff told us that their goals are to (1) identify the delinquent values, attitudes, and behaviors of each offender, (2) get juveniles to accept responsibility for changing delinquent values, and (3) introduce juveniles to personal and social skills that they may need, such as problem solving skills, self-confidence, and the ability to empathize and compromise. The treatment program is based on the "positive peer culture" model, a structured group process first implemented at Red Wing in the late 1960s. Juveniles in each living unit meet five evenings per week, with staff guidance. At these meetings, juveniles begin by discussing their day's activities and problems. Residents can request that the group deal with a problem in depth, and the group determines whose problem it will focus on during the remainder of

the session. Juveniles who have been at the facility for awhile are expected to model appropriate behavior and help newer group members participate. Staff sometimes provide individual counseling to juveniles who are not responding to peer group meetings. The education curriculum for some residents includes instruction in "critical thinking" skills.

Although family members are invited to participate in the development of individual plans for residents, most do not, and the facility has no regularly scheduled counseling sessions for family members of residents. A consulting psychologist usually visits the facility once a week to conduct assessments or provide limited mental health services. Hennepin County recently initiated a program that will fund a part-time "transition worker" to help residents of the Red Wing facility prepare for a return to that county.

Minnesota Correctional Facility at Sauk Centre

The Minnesota Correctional Facility at Sauk Centre admits males committed to the Commissioner of Corrections from 66 counties, including Ramsey County and most of the western and northern parts of Minnesota. It also admits committed female offenders from throughout the state, who have a separate living unit on the facility campus. Like the Red Wing facility, the Sauk Centre facility must serve all referred juveniles, and Department of Corrections guidelines are used to set projected dates of release to parole. In 1993, the facility opened a separate living unit and program for up to 20 sex offenders committed to the commissioner.

The facility instituted a positive peer culture program in early 1990. The program is similar to that at the Red Wing facility, with peer group sessions five days a week, individual counseling as needed, and instruction in critical thinking skills for juveniles in some residences. Staff told us that female offenders fare better in programs that are more "relationship-based" and less competitive than traditional programs for male offenders, so staff have tried to tailor the program for females accordingly. Sex offenders spend about three hours a day in school and about three hours in groups that receive "psychoeducational instruction" or work on resident goals. A consulting psychiatrist visits the facility once a month to conduct assessments and provide limited mental health services.

Staff told us that the parents of most residents participate in meetings related to the development of individualized plans. However, the Sauk Centre facility has no regularly scheduled family counseling sessions.

Thistledew Camp (Near Togo)

Thistledew Camp is located in a state forest in Itasca County. The camp is operated by the Department of Corrections, but its offenders have not been committed to the Commissioner of Corrections. Thus, unlike the Red Wing and Sauk Centre facilities, Thistledew can terminate or refuse to admit a juvenile who does not

cooperate with staff, causes disciplinary problems, or threatens the safety of others. Staff told us that they do not admit youth with histories of assault, and this camp is the first residential placement for many of its residents.

The program is about 13 to 15 weeks long for all residents. Thistledew's program is intended to build juvenile self-confidence, and it tries to encourage responsible, disciplined actions by rewarding proper behavior and holding juveniles accountable for irresponsible behavior. Each day after school, residents spend two hours on work crews that cut and bundle wood and improve timberlands. The facility offers no regularly-scheduled group counseling, and it does not have arrangements with psychologists or psychiatrists to assist with resident assessment or services. Facility staff told us that they "occasionally" have counseling sessions with family members to prepare for residents' returns home.

Juveniles are graded by staff on behavior, work assignments, and group living several times a day. Good grades result in rewards, such as going to movies and other off-ground trips. Juveniles who have poor grades or who violate rules are asked to split wood. Some residents have privileges denied and their releases delayed until wood chopping obligations are met.

There is a three week survival skills program at the end of each boy's stay to reinforce responsibility and self-confidence gained during the previous weeks. This program consists of survival training (including a high ropes course), a rock climbing trip, three days and nights of camping alone in the woods, and a group trek, such as a canoe trip, hike, or cross-country ski trip. The solo camping experience is intended as a time for boys to reflect on their past behavior or think about how they might change.

Boys Totem Town (St. Paul)

Boys Totem Town primarily serves male offenders referred by the Ramsey County juvenile court, although it occasionally admits boys from other counties. The long-term program serves up to 44 boys at a time, usually for three to five month stays. Due to high demand for this program's services, the facility reduced resident stays by about one month during recent years by suspending a final portion of the program that prepared residents for their return to the community.

The primary treatment model is "PEARS" (personal effort and responsibility system), a behavior modification program. Under this program, residents' behaviors are rated by facility staff as often as hourly. Boys can use points assigned during these ratings to "purchase" privileges, such as phone calls, or other items, such as snacks. In addition, boys must complete individual contracts, as well as assignments on topics such as understanding past criminal behavior, attitudes and values, victim empathy, and chemical dependency. Residents in each living unit have daily group sessions. Residents must progress through three "levels" of responsibility before their release. A Ramsey County psychologist spends about half of his time at Totem Town, primarily conducting initial assessments. The facility offers

regular family counseling sessions, although staff told us that only about one-half of juveniles have parents who participate.

In addition, Totem Town operates a short-term program for up to 25 boys, which is primarily intended for offenders being placed away from home for the first time. The short-term program is also often used to house boys awaiting placement in the long-term program. The program is primarily a way to get juveniles to experience consequences for their offenses, but staff told us that 30 days is not enough time to provide a comprehensive treatment program. During the brief stay (30 to 45 days), boys work on several "contracts" with the facility, such as developing a "goal map" indicating what they want to do with their futures. They must also write a letter of apology to their victims, participate in work programs two hours a day, attend school for three to four hours a day, and meet with chemical dependency counselors.

Hennepin County Home School (Minnetonka)

This facility is operated by Hennepin County, primarily for Hennepin County offenders. The Hennepin County Home School has seven buildings, including: three for male person and property offenders in a program with average stays of eight months; one for female person and property offenders in a program with average stays of six months; two for sex offenders with average stays of more than a year; and one for males in a short-term (three to six week) work program. All but the long-term program for male person and property offenders serve residents from counties other than Hennepin.

Offenders from Hennepin County are committed by the court to the Home School for determinate terms of 7 to 16 months, based on county guidelines. Up to half of the commitment time for long-term offenders can be spent on furlough, depending on the juveniles' progress at the facility. Furlough is similar to parole, but it allows the county to return juveniles to the home school who misbehave or fail to follow through on post-treatment plans.

The long-term program for male offenders emphasizes learning through accountability. Residents practice taking responsibility for their own behavior and decisions. Offenders are expected to become contributing members of their residential community, and they are required to write papers on their offenses and life histories. Group sessions are held twice per week and focus on family issues, offense behavior, life histories, and empathy and restitution for victims. There are also two family counseling sessions per month and other groups for special needs, such as parenting skills and violence prevention.

Like the program for males, the long-term program for female offenders requires residents to write papers on their offenses and life histories. The program uses group therapy to help offenders address past offenses, sexual exploitation, abuse and other issues. The girls program devotes more time than the boys program to scheduled group therapy, including mandatory participation in chemical depend-

ency sessions. Family therapy and counseling is also provided on an individual basis.

The sex offender program uses a "cognitive behavioral" treatment approach. Residents are taught ways to manage behaviors and sexual urges through cognitive restructuring in order to prevent relapses. The program provides 15 hours of sex-specific psychotherapy per week to residents, often in structured groups but also individually as needed. Residents progress through a sequence of program "elements," each with required assignments. The completion of these elements is intended to provide residents with a progressive sense of hope and success before they are released. The program has support groups for parents, as well as individualized family therapy.

A consulting psychiatrist visits the facility two days a week, and the facility has no psychologists.

Woodland Hills (Duluth)

Woodland Hills is a private, non-profit facility located in a former childrens home. It was licensed by the Department of Human Services until December 1994 but is now licensed by the Department of Corrections. Woodland Hills provides both residential and non-residential services, but we focused on its long-term residential treatment program.¹ The program can serve up to 48 juveniles. Boys are assigned to one of three living units, primarily based on their ages, and there is one living unit for girls.

The long-term residential program uses "positive peer culture" as its basic treatment approach. Residents in each living unit do most activities as a group, including school, meals, and work and recreation activities. Each group has a 90-minute meeting five nights per week. As described earlier for the Red Wing facility, the meetings begin by having juveniles report on problems or concerns that have arisen in their daily lives. Individual juveniles can then request that the group address one of their problems. The group decides which problems to address and devotes the remainder of its time to discussing these problems and suggesting possible solutions.

On weekdays, each group devotes at least two hours to a work activity, such as snow shoveling for seniors, or to recreation. Every second weekend, there are meetings for residents and their family members, and staff told us that 60 to 80 percent of residents have parents who attend. Juvenile peer groups can recommend whether residents should be allowed to make home visits, but the final decision rests with staff.

Unlike other facilities we visited, Woodland Hills conducts a one-hour pre-placement interview with all incoming residents. The staff told us that they prefer

¹ Woodland Hills also operates Chisholm House (a short-term residential work program at a separate Duluth location), an intensive day treatment program, and a neighborhood youth services program.

to admit juveniles who are most likely to succeed in the type of program that the facility offers. For example, the facility tends not to admit juveniles who are introverted, have low I.Q.s, or have manic-depressive disorders because they may not be able to participate actively in group sessions. The facility also does not admit juveniles who appear unwilling to change their behaviors. Woodland Hills uses consulting psychologists to help with resident assessments, but it does not have psychologists or psychiatrists on staff to provide ongoing services. Staff use a standardized checklist to identify juveniles' problem behaviors when they are admitted and to track progress during their stay. Each month, staff send written comments on each resident's progress to the judge who referred them to the facility.

St. Croix Camp for Boys and Girls (Near Sandstone and Hinkley)

St. Croix Camp is a private, non-profit facility operated by the Amherst H. Wilder Foundation. It consists of separate programs for boys and girls, located about 15 miles apart in Pine County and each serving up to 50 residents at a time. Most of the residents are delinquents referred by the courts, but the camps also serve some juveniles--particularly girls--referred by the courts for "protection and services." The facility admits residents from throughout Minnesota, but about half of its population is from Ramsey and Hennepin counties. Staff generally try not to admit offenders who might pose a safety risk to other juveniles or offenders who have very serious emotional disorders.

The standard program is 13 to 15 weeks, and usually members of each 10-person living unit begin and end the program at about the same time. The program is similar to the one at Thistledeew Camp, attempting to build self confidence and teach juveniles to think about the consequences of their behavior. Staff told us that they try to provide residents with nurturing, safe, and respectful relationships as they direct residents through a series of challenges that require problem solving and planning skills. There are no psychiatrists or psychologists on staff, and mental health services in nearby communities are limited and seldom used. The facility uses the Wilder Child Guidance Clinic in St. Paul for psychological assessments.

Most of the residential stay consists of group living, school, afternoon work crews, recreation, and preparation for wilderness expeditions and camping. Staff assign points to juveniles for their daily behaviors, and these points are used to award privileges or to require wood chopping. Although the basic structure of the group living phase is the same for the boys and girls camps, there are some differences. For example, the girls camp offers an educational group dealing with sexual abuse issues, provides an hour of "quiet time" each evening, and has more modest wood chopping assignments for rule violators.

The final two weeks of the St. Croix Camp programs are devoted to using skills learned during the group living phase of the program in a new environment. Resi-

dents first participate in a group expedition, such as hiking or cross-country skiing. This is followed by three nights of camping alone.

Residents participate in family group sessions during their stays, and these can continue for three months after discharge, or longer if necessary. Two-hour family group "aftercare" meetings are held weekly in several Twin Cities locations, and individual casework is also available for residents making the transition back to their home communities.

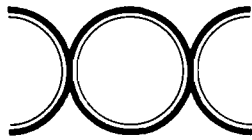
Minnesota Correctional Facility at St. Cloud

This is the only adult correctional facility in our sample. It is also the only facility that is surrounded by a wall and monitored by armed guards. It is operated by the Department of Corrections for felons 18 to 25 years old, but it also houses juvenile offenders who are certified as adults and convicted in criminal courts. As of Fall 1994, the facility had nearly 900 residents, including nearly 100 certified adults.

At the St. Cloud facility, certified adults live in the same cell blocks as other inmates, and they are expected to participate in the same programming.² The facility offers a range of academic and vocational programs, and participants who complete them earn degrees or certificates. There are specialized chemical dependency and sex offender treatment programs. Inmates who do not wish to participate in education or treatment must accept a work assignment if they want to receive "good time" toward an early release.³ Typical assignments include maintenance work or producing vehicle license plates and tabs. The correctional facility has three staff psychologists and a consulting psychiatrist.

² Most of the certified juveniles are either 18 by the time they are sentenced or turn 18 within a year. On September 28, 1994, there were 95 certified juveniles at St. Cloud. Thirteen were under 18, 50 were 18 to 20 years old, and 32 were 21 or older.

³ At the time of our visit to St. Cloud in October 1994, about 32 of the 95 certified adults were not participating in any programs or work assignments. Five of these inmates were listed as refusing to work, while most of the rest apparently had not yet been assigned work or were in between jobs.



February 7, 1995

James R. Nobles
Legislative Auditor
Centennial Building
St. Paul, Minnesota 55155

Dear Mr. Nobles:

Thank you for the opportunity to review the final draft report on the evaluation of residential facilities for juvenile offenders. We appreciate the receptivity of you and your staff to our suggestions, and are pleased to see many of our positions incorporated into the final report.

We are grateful for your positive comments regarding many aspects of the overall programming available at department facilities evaluated in the report. For example, your acknowledgement of the American Correctional Association's accreditation of the Sauk Centre and Red Wing facilities where more than 99 percent of accreditation standards were met is noteworthy. We would be remiss if we did not acknowledge your very positive and complimentary commentary on our Thistledeew Camp program.

The report recognizes the reality that residential facilities evaluated in the report are but part of a total system, and that the disappointing recidivism rates must be viewed in this overall context. As the report notes, a lack of adequate resources for appropriate community programming, both prior to and after placement in a residential facility, is a critical factor. Unfortunately, delinquent behaviors are frequently well-established prior to institutional placement due to complex societal and familial problems. As highlighted in the report, this is particularly true for the Sauk Centre and Red Wing facilities where juveniles are committed after extensive failures. It would be very unfair to expect that commitment to a correctional facility would guarantee a positive change in a juvenile offender's lifestyle when often ten years of delinquent behavior preceded the commitment.

In addition, the fact that the recidivism data relates to offenders released from our facilities ten and four years ago makes it clear that this is clearly historical information. There have been many significant programming changes made at these facilities since that time which would not be reflected in this analysis.

We agree that our institutional programming must continually be evaluated and assessed for potential improvements. We also support the notion of continual assessment of programming offered at the local level as well. For example, discussions are underway to improve long-term transitional programming for offenders released from the Sauk Centre.

James R. Nobles
February 7, 1995
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and Red Wing facilities. Development of mechanisms to ensure that county officials are better informed about the programming provided by our facilities is also underway.

We are confident that programs and facilities included in your evaluation at all levels of government are dedicated to positively changing the behavior of juvenile offenders. By working together cooperatively, all elements of the juvenile corrections system can be strengthened and improved.

In conclusion, we would like to thank your staff for their work on this extensive report. It provides excellent information which will be useful to the legislature and our department.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank W. Wood". The signature is fluid and cursive, with the first name "Frank" being more prominent and the last name "Wood" following in a similar style.

Frank W. Wood
Commissioner

FWW:sb



State of Minnesota
Department of Human Services

Human Services Building
444 Lafayette Road
St. Paul, Minnesota 55155

Maria R. Gomez
Commissioner
612/296-2701

February 8, 1995

Roger Brooks
Deputy Legislative Auditor
Office of Legislative Auditor
Centennial Building
St. Paul, Minnesota 55155

Dear Mr. Brooks:

Our Department applauds your extensive, exhaustive and state-of-the-art work on the Residential Facilities for Juvenile Offenders report. Your collaborative work with our Department and the Department of Corrections is commendable. The data collection on the juvenile offender is unprecedented. The survey and research work presented in this report, as well as your observations and recommendations, are very important as our Department and the Department of Corrections looks to improve the effectiveness of our residential programs for this service population. In fact, this report supports the Department's proposed legislation for specialized services to adolescents with severe emotional and violent behavior.

We support the following recommendation made by your Office and the Task Force on Juvenile Programming, Evaluation, and Planning that "The Legislature should require the Departments of Corrections and Human Services to develop more consistent general licensing requirements for juvenile residential facilities by mid-1997."

Once again, we compliment your thoughtful work on this most complex and important issue.

Sincerely,

A handwritten signature in cursive script, appearing to read "Maria R. Gomez".

MARIA R. GOMEZ
Commissioner

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