



THE CONSERVATIVE CASE FOR REFORM: Fighting Crime, Prioritizing Victims, and Protecting Taxpayers.

A project of the Texas Public Policy Foundation in cooperation with Prison Fellowship.

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PRIORITY ISSUES: JUVENILE JUSTICE

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I. The Issue

Cost-effective interventions that leverage the strengths of families and communities to reform troubled youths are critical to a successful juvenile justice system. Youths who “slip through the cracks” may remain in the criminal justice system throughout their lives even though some could have been saved by effective policies during pivotal developmental stages. However, funds should only be spent on programs that are supported by evidence, and risk and needs assessment should be used to ensure that youths who would be most successful in non-residential programs are not placed in costly residential settings.

II. The Impact

If a juvenile program can prevent a delinquent youth from becoming a career criminal, it is obviously a positive moral outcome for society, as it avoids future victims. It is also, however, a significant financial boon to the state. In Texas, for example, incarceration in a state juvenile facility costs approximately \$270 per day, while diversion or supervision programs range from \$7 to \$73 per day. While some youths need to be in a residential setting, research has found unnecessary incarceration may actually make lower-risk youths more likely to re-offend, as it co-mingles them with more serious offenders and frays ties to their family and community. Funds saved from reducing unnecessary incarceration can be reallocated to less costly approaches for reforming other youths and preventing delinquency, or returned to taxpayers.

III. The Conservative Solution

- Expand flexibility in funding, so that local jurisdictions may spend funds now used for

housing some of their youths in large state youth lockups on less costly community-based programs supported by research. Effective community-based models include multisystemic therapy, victim-offender mediation, mentoring, vocational programs, and group homes modeled after those in Missouri for youths that require a residential setting.

- Implement evidence-based practices to increase the effectiveness of juvenile probation and parole, such as graduated sanctions that respond to each violation of the rules of supervision with a swift, sure, and commensurate sanction. Graduated incentives should also be employed to reward exemplary conduct. Research has demonstrated graduated responses are far more effective because they send a clear message at the time of the behavior rather than waiting for relatively minor violations to pile up and then applying the ultimate sanction -- revocation to a youth lockup.
- Create policies so that youths are more likely to find employment as adults, reducing the likelihood of recidivating. This may entail, among others, providing additional opportunities for non-violent youth offenders to expunge or decline to disclose records, removing barriers for otherwise qualified applicants with a juvenile record from obtaining occupational licenses, and emphasizing vocational training opportunities for youth offenders.
- Streamline juvenile facilities so that cost savings may be reallocated to other areas of juvenile justice that provide a greater public safety return on the investment. Underutilized facilities, particularly those which are remotely located away from families and qualified treatment personnel, should be closed or consolidated.
- Improve school disciplinary policies so that more misbehavior is corrected at an early stage in school and fewer students drop out or are removed from school and enter the juvenile justice system. Proven approaches include teen courts, community service learning, student behavior contracts, student behavior accounts, and peer mediation.
- Implement policies that require reviews of sentences given to people convicted of crimes committed under age 18 to determine whether, years later, they are fit to return to society. Victims should be notified about sentencing reviews, which will not guarantee release, but will ensure tax dollars are not wasted on people who have served time in prison for crimes committed as juveniles and no longer pose a threat to society. This is a fair, cost-effective, age-appropriate way to ensure that juveniles are held accountable for harm they have caused, which offers them an opportunity to redeem themselves.