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INTRODUCTION

In June 2009, the South Carolina Department of Juvenile Justice (SCDJJ) contracted with Chinn Planning, Inc. to conduct a third assessment of progress and development at the Broad River Road Campus (BRRC). This campus contains the largest institutional capacity within the SCDJJ system, and was the subject of a thirteen year lawsuit concerning conditions of confinement.

The Director of SCDJJ agreed to hire an outside Consultant to review progress and operations at the Broad River Road Campus in 2005, 2007 and 2009. Chinn Planning, Inc. completed an assessment of progress in 2005 and 2007. This 2009 report is the third and final report to the Court since the lawsuit ended.

The juvenile justice system in South Carolina was in peril prior to ending the lawsuit. The system was characterized by high rates of incarceration for low level offenders, lack of community based interventions, inadequate staffing levels, over reliance on secure institutional placements, lack of community partnerships, antiquated and inadequate facilities, and all of the conditions in facilities at BRRC that blocked the ending of a thirteen year class action lawsuit.

Reports completed in 2005 and 2007 by Chinn Planning, Inc. concluded the progress made by SCDJJ in reforming and enhancing services for juvenile offenders in South Carolina was remarkable. Programs, services, staffing and facilities have been greatly enhanced at the BRRC over five years and the juvenile justice system was achieving well documented benefits from a new focus on community based services, as evidenced by a 20% drop in referrals to the Department. To enhance community and family prevention and intervention SCDJJ expanded the number of Intensive Supervision Officers (ISO) working with youth and families to achieve successful reentry after residential placement. Data reveals that youth assigned an ISO had a 42% lower rate of recidivism than youth not assigned an ISO. Services provided by ISO’s may also be used in lieu of secure residential placements, which greatly reduces costs and improves outcomes.

The severe economic downturn experienced by South Carolina in 2008 threatened the progress made by SCDJJ since 2003. Reductions to the SCDJJ budget of 17% from July 2008 to February 2009 were devastating. More cuts were threatened until SCDJJ was given permission to deficit-spend for the remainder of the FY09. Although all of the progress and reforms made by the Department have not been unraveled, further cuts could have a devastating impact. Reforms made by the leadership at SCDJJ heading into 2008 were critical to the success in steering the Department through a difficult period.

This report responds to the South Carolina Department of Juvenile Justice 2009 Progress Report and Plan for Future Development. Similar to the process in 2005 and 2007, Chinn Planning, Inc. reviewed trend and operational data, conducted interviews with twenty-five SCDJJ officials (see Appendix A), toured the facilities and grounds of the Broad River Road Campus, and presented DRAFT findings to the Director of the Department of Juvenile Justice. This report responds to

the specific sections of the progress report and plan for future development that was prepared by SCDJJ in 2009.

SUMMARY OF PROGRESS TO DATE

The South Carolina Department of Juvenile Justice has accomplished many significant improvements to conditions for youth committed to its custody between 2003 and 2009. Most accomplishments occurred between 2003 and 2008, as major funding reductions over the past year hampered progress in 2009. These significant accomplishments still benefited youth and families in 2009, despite the budget reductions. These accomplishments include:

- Reduction in Population at BRRC, Evaluation Centers, and the Detention Center
- Opening of (4) New Dormitories at BRRC
- Other Improvements to BRRC (A/C replacement, school walkways, Health Service Administration facility, classroom expansion, landscape improvements)
- Opening of the Community Connections Center at BRRC
- Completion of a new Front Entrance to BRRC
- Increased Community Involvement and Participation: Volunteers, Friends of Juvenile Justice, Community and University Partnerships
- Opening of a new Girls Transition Home
- Dedicated Staff for Housing Units at BRRC
- Increased Direct Care Staffing Ratios at BRRC
- Hiring of Youth Specialists at BRRC
- Expansion of Girls Gender Specific Programming
- Health Services Expansion and Improvements
- Reduction in Grievances (Percent Founded)
- Increased Programming at BRRC (Vocational, Academic, Recreation, Life Skills)
- Assignment of a Disciplinary Officer on each campus at BRRC
- New clothing (more normative than “jump suits”) for youth at BRRC
- Implementation of a Level System of Behavior Management at BRRC
- Hiring of Intensive Supervision Officers for After Care Services
- Staffing and Full Implementation of Performance Based Standards

During the fiscal crisis of 2008-2009 the Department focused most of its reduction on the community based programs and placements. However, priority was given to sparing Intensive Supervision services in the community resulting in not a single ISO position eliminated. Preliminary data revealed that Serious and Violent Offender Reentry Initiative participants assigned an Intensive Supervision Officer had a 42% lower rate of recidivism when recidivism is measured as re-adjudication or reconviction for a new criminal offense within 12 months of release to the community.

Expansion of community based programs such as After School Programs, Group Homes, and Employment Training Programs would be included in the list of accomplishments above if they not been eliminated due to budget cuts in 2009. Constitutional levels of care were maintained on the BRRRC campus despite the closing of five group homes and other budget reductions, although some of the enhancements to programming and recreational activities were cut back. Living conditions and facilities were greatly improved at BRRRC over the past two years as a result of the opening of several new living units on the campus that had been planned and constructed before the budget crisis occurred.

CUTS TO SCDJJ'S BUDGET SUSTAINED IN 2008-2009

SCDJJ began the fiscal year with a general fund base of \$102,575,570. After cuts of 10.8% and 7%, SCDJJ's adjusted general fund base had dwindled to \$85,130,748. Faced with cuts of this magnitude, the Department was forced to define its mission more narrowly around its core legislative mandates. The impact was one of eliminating or diminishing effective front end prevention, early intervention, and support programs. Following are the details of how the cuts impacted programs, services, and FTEs.

- Imposed mandatory 10-day unpaid furloughs on all agency employees.
- Closed the equivalent of 2 old dormitories in the BRRRC (80 bed capacity).
- Closed 5 agency group homes (57 bed capacity).
- Closed 1 wilderness camp (40 bed capacity).
- Eliminated the Bridge Program (intensive services for substance abusing juveniles), however, this program was picked up by the Department of Alcohol and Other Drug Abuse Services
- Eliminated 19 Juvenile Employment Programs in the Community.
- Eliminated SCDJJ's central motor pool.
- Eliminated many probationary and temporary staff across Agency Divisions.
- Reduced the number of teachers and substitute teachers in the SCDJJ School District.
- Eliminated funding for Teen After-School Centers.
- Reduced funding for Juvenile Arbitration Contracts with Solicitors' Offices by ten percent.
- Reduced funding for remaining wilderness camps and marine institutes by 3 percent.

- Eliminated a total of 187 full time staff and 98 part time staff.

As further cuts loomed, the Department drifted toward unconstitutional conditions. However, SCDJJ successfully presented its case to state policy makers early in 2009, which enabled the agency to operate under an approved deficit of \$9,178,488 for the fiscal year to end the backslide.

SCDJJ's RECOVERY PLAN

SCDJJ will begin its recovery process with caution in the current fiscal year. The recovery process will benefit greatly if grants applied for under Recovery Act monies are awarded. The short and long-term goals of recovery and growth are:

A. Short Term Priorities (FY 2009-2010)

- Open Two New Living Units (Units 3 and 4 of 10)
- Hire Additional Re-Entry Coordinators and Liaisons (4) for the BRRC (in process now)
- Fill 4 Intensive Supervision officer vacancies to maintain statewide coverage with caseloads no greater than 1:20 (in process now)
- Reopen 20 Teen After-School Centers
- Develop a hybrid Teen After School Program that has an employability component as a means of achieving efficiency through co-location and an identified at risk population
- Train DJJ staff and implement gang prevention curriculums in high risk communities around South Carolina
- Re-establish funding/support for family-based services and parenting curriculums in the community.

B. Longer Term goals for FY 2010-2011 and Following

- Complete construction of 10 new living units (6 new units) – consider establishing an admissions unit within the BRRC.
- With the assistance of FJJ and the Clemson/DJJ Steering Committee, develop Hope Street as a Halfway Community Program for Youth Leaving Confinement.
- Hire 10 additional Intensive Supervision Officers per SCDJJ's Anti Gang Initiative and as requested/approved in the 07-08 Budget.
- Achieve statewide coverage of Teen After School programs in high risk communities around South Carolina (total projected need of 130+ sites).

- Develop juvenile employment programs in every county with multiple sites in urban counties for a total of 64 sites; consider co-location options with Teen After-School Centers.
- Expand gang interdiction coverage to 80 or more sites.
- Establish mental health workers in SCDJJ community offices to more effectively screen and serve youth/families with special needs, while minimizing their penetration of the juvenile justice system.

CONCLUSION AND RECOMMENDATIONS

There is solid evidence of reform at the South Carolina Department of Juvenile Justice over the past six years. As a result of reform initiatives and a shifting of focus to community interventions and placements, population levels at the BRRC campus have been drastically reduced. Programs, services, staffing levels and facilities at BRRC are also greatly improved. The Department has implemented a true continuum of services for youthful offenders, with an emphasis on community placements and services in the least restrictive setting. South Carolina's juvenile justice system has gone from one of the worst (as evidenced by a 13 year law suit), to one that reflects national best practice, with an emphasis on community interventions. This has occurred through effective leadership at the Department, and as a result of forming innovative partnerships with institutions of higher learning, the faith community, the private sector, and sister agencies to achieve enhancements at all levels of the juvenile justice system.

The economic crisis of 2008-2009 took its toll on the Department, with a 17% budget cut overall. However, the Department has weathered the storm and budget cuts because of the reforms that had been put into action before the budget crisis began. Referrals to the Department continue to decline reinforcing the positive impact community based programs and services have had on reducing recidivism and diverting youth from incarceration. The Department continues to prioritize and recognize the important role Intensive Supervision Officers play in working with youth as they transition back to the community after leaving SCDJJ placements. These positions were spared in the budget reductions because of the positive impact intensive supervision has had on youth and families, as evidenced by 42% lower recidivism rates among youth assigned to the program.

The benefits of all of the planned improvements at the BRRC have actually been realized in the difficult economic circumstances of the past two years. The look and feel of the BRRC has changed completely in the past two years. New housing units opened at the BRRC provide safer living conditions for youth on the campus. Treatment services have been expanded, and staffing ratios have been improved. The new Girls Transition Home is a model program for step down and reintegration in the community. And the unprecedented effort to construct a state of the art visitation facility (Community Connections) for youth and families, funded totally with private donations, has been a crowning achievement in efforts to provide a humane and safe environment for youth at BRRC.

The Department must continue to find ways to enhance programs and services on the "front end" of the system, which will have the impact of reducing the number of youth requiring services in commitment facilities. The Department's plan to reinstate important community based programs lost

in the budget crisis (JEEP, Teen After School) and increase the number of Intensive Supervision Officers reflects the focus on community and family interventions that will result in declining incarceration rates of juveniles. Once again, tangible evidence is in place to show that the reforms are working in South Carolina.

As the State of South Carolina moves forward, the question for the legislative and executive branches is: "Should we continue with the progress that has given us tangible results in our juvenile justice system, or should we move backwards and allow the progress to unravel?" Financial and other support will be needed to continue the progress that has been made. The support and commitment by the legislative and executive bodies in the past has led to the juvenile justice system achievements that are highlighted in this report. Much improvement has been made, and more improvements are needed.

Recognizing the need to continue improvements, the Department has developed a plan of action that addresses all the areas needed to continue improvements to the juvenile justice system, and specifically the programs and services at the Broad River Road Campus. The plan of action responds to all of the recommendations developed by the Consultant as a result of the analysis presented in this report. These recommendations include:

Recommendations:

- Reinstatement of the Teen After School Program and JEEP employment training program
- Expand the number of Intensive Supervision Officers
- Reduce admissions and length of stay in Lock-Up/Segregation housing
- Replace remaining old dormitory housing units
- Enhance staff training
- Enhance direct care staffing ratios
- Reinstatement of dedicated Juvenile Specialist and Dorm Sergeant positions, not to be included in direct care staffing ratios
- Add appropriate levels of group home placements to the placement matrix
- Expand after hours programming at BRRRC
- Construct a Boys Transition home
- Develop Transition housing and placements for youth in the community
- Circulate this Executive Summary and the Final Report to Legislators and State Policy makers



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