

May 10, 2021

Via Electronic Delivery

Senator Susan Deschambault
Representative Charlotte Warren
Joint Standing Committee on Criminal Justice and Public Safety
100 State House Station, Room 436
Augusta, ME 04333

RE: LD 1668: Resolve, To Develop a Plan To Close the Long Creek Youth Development Center and Redirect Funding to Community Integration Services for Adjudicated Youth

Dear House Chairwoman Warren, Senate Chairwoman Deschambault, and Maine Joint Criminal Justice & Public Safety Committee:

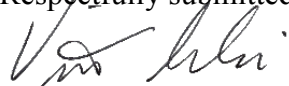
Thank you for the opportunity to testify for H.P. 1239 To Close the Long Creek Youth Development Center and to submit a written testimony. As I promised during the hearing this morning, please find the resources I mentioned along with the written testimony.

- [Does Keeping Youth Close to Home Really Matter? A Case Study](#) (Justice Lab)
- [Thinking About Emerging Adults and Violent Crime](#) (Justice Lab)
- [Keeping Youth Out of the Deep End of the Juvenile Justice System](#) (Urban Institute)
- [Can We Eliminate Youth Prison?](#) (Justice Lab)

In addition, in response to one question by a legislator, the number of youth justice systems under Department's of Corrections has fallen to 10 and, when California closes its Division of Juvenile Justice, that number will drop to nine. Maine is in the minority in this respect nationally, and is the only New England state whose youth justice system falls under adult corrections.

Columbia Justice Lab and myself would gladly answer any further questions. We also highly recommend Jill Ward, who is both a Task Force co-chair and manager of the [Maine Center for Juvenile Policy and Law](#), as a Maine expert and on the ground resource for your inquiries.

Respectfully submitted,



[Vincent N. Schiraldi](#)

Co-Director,
Columbia University Justice Lab
Former Commissioner,
New York City Department of Probation
Former Director,
District of Columbia's Department of Youth Rehabilitation Services

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Senator Susan Deschambault
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RE: Written Testimony Supporting LD 1668: Resolve, To Develop a Plan To Close the Long Creek Youth Development Center and Redirect Funding to Community Integration Services for Adjudicated Youth

Dear House Chairwoman Warren, Senate Chairwoman Deschambault, and Maine Joint Criminal Justice & Public Safety Committee:

Thank you for the opportunity to submit written testimony before the Maine Joint Criminal Justice & Public Safety Committee on behalf of the Columbia University Justice Lab.

I am a former Director of the Department of Youth Rehabilitation Services in Washington, D.C. former Commissioner of New York City Probation, and currently co-director of the Justice Lab at Columbia University and co-chair of Youth Correctional Leaders for Justice.¹ With my direct experience with the youth justice issues it is my hope that my testimony offers some insight into issues involved in closing youth prisons and in that way, aids the committee in its deliberations.

The Columbia University Justice Lab (Justice Lab) is a policy and research institute that seeks to foundationally reconceive justice policy through actionable research, community-centered policy development, and the sustained engagement of diverse constituencies. Our Youth Justice Initiatives seek to end the use of a punitive youth prison model in favor of a more community-centered approach by working with impacted-community leaders and the Youth Correctional Leaders for Justice, a group that unifies and elevates the voices of current and former youth correctional leaders in calling for and guiding states and localities in their efforts to end the use of youth prisons.

I write to you supporting LD 1668: Resolve, To Develop a Plan To Close the Long Creek Youth Development Center and Redirect Funding to Community Integration Services for Adjudicated Youth. This legislation ensures that all current youth incarceration funds directed at the Long Creek Youth Development Center are reinvested following the facility's closure and utilized for community-based integration services. Additionally, the bill directs the current facility to be repurposed for use as a community center with supportive housing.

¹ "YCLJ," YCLJ, n.d., <https://yclj.org/>.

I. Devastating History & Reality of Long Creek

The state of Maine disproportionately commits youth of color to state juvenile facilities, and racial disparities have only worsened in recent years.² Additionally, the annual cost per youth in Maine youth prisons is now at least³ \$252,000, far more than the cost of most community programs.⁴ The facility in question, Long Creek Youth Development Center, has experienced an increase of 18 percent in expenditures between 2012 and 2018, while the average daily youth population within it fell 61 percent.⁵

Dire conditions were revealed in a 2017 audit of the Long Creek Youth Development Center. As you well remember, this audit occurred following a tragic event, wherein a transgender boy housed in the girls' unit within the center died by suicide in November of 2016.⁶ The audit provided transparency into the lack of mental health care within the facility, dangerous conditions, and a deficiency of adequate staff.⁷ While the state has begun to invest in diversion, Maine lacks strong community-based alternatives to incarceration and detention, in part due to the fact that it costs so much money to run Long Creek that little is available to also fund community programming.

The fiscal and social costs of continuing to invest in a model that doesn't work have long been proven by both research and practice. In 2013 the National Research Council recommended against incarcerating youth based on that research, and that young people are actually more likely to recidivate after being incarcerated (Schiraldi, 2020) and return to antisocial behaviors (Aizer and Doyle, 2015); not to mention the trauma and abuse they suffer while locked up.⁸ Youth prisons don't keep our youth safer or help them become better members of their communities, and they don't keep our communities safer.

II. Commitment to Alternatives That Work

An increasing number of states and large cities have committed to ending institutional incarceration of children, including California, Connecticut, Illinois, New York City, San Francisco, Seattle, Vermont, and Wisconsin.⁹ They have done so without jeopardizing public safety—youth crime rates have plummeted by 65 percent nationwide while youth incarceration

² Colette Marcellin, Constance Hull, and Samantha Harvell, "Data Snapshot of Youth Incarceration in Maine" (The Urban Institute, April 2020), https://www.urban.org/sites/default/files/publication/102137/data-snapshot-of-youth-incarceration-in-maine_1.pdf.

³ Testimony at today's hearing by bill sponsor ?? placed the cost per youth per year at greater than \$700,000.

⁴ Linsey Soucy and Skye Gosseion, "Maine Compass: Spend Juvenile-Justice Money on Maine's Youth, Not Prisons.," *Central Maine*, December 18, 2019, <https://www.centralmaine.com/2019/12/18/maine-compass-spend-juvenile-justice-money-on-maines-youth-not-prisons/>.

⁵ Colette Marcellin, Constance Hull, and Samantha Harvell, "Data Snapshot of Youth Incarceration in Maine."

⁶ "Mom Sues over Teen's Suicide at Maine Youth Detention Center," *AP News*, April 16, 2021, <https://apnews.com/article/lawsuits-maine-suicides-db0f88fed8112b340adf6c611faaeb9>.

⁷ Marina Villeneuve, "After Detainee's Suicide, Mom Sees Need for More Mental Care," *AP News*, November 16, 2016, <https://apnews.com/article/5745c7afa7cf4dc29ad769b97a6507f4>.

⁸ Jeremy Travis, Bruce Western, and Steve Reburn, "The Growth of Incarceration in the United States: Exploring Causes and Consequences" (Committee on Causes and Consequences of High Rates of Incarceration, 2014), http://johnjay.jjay.cuny.edu/nrc/nas_report_on_incarceration.pdf.

⁹ Sarah Bryer and Marc Levin. *The Comeback States: Reducing Youth Incarceration in the United States*. National Juvenile Justice Network, June 2013. (https://www.njjn.org/uploads/digital-library/Comeback-States-Report_FINAL.pdf)

has declined by two thirds at the same time.¹⁰ Even as youth incarceration drops and states and localities close youth prisons, in many places there are still challenges to address to facilitate transition to a more effective system.

A study in Texas showed that adjudicated youth allowed to remain in the community were 30 percent less likely to be arrested for a subsequent offense than comparable youth sent to state corrections facilities.¹¹ As states throughout the country have reduced youth incarceration and closed youth facilities over the past two decades, youth arrests have continued to decline in those states. It is evident that community-led, family-focused, youth-centered interventions and services are more effective and cost efficient. It is imperative that we invest in these innovations to modernize juvenile justice.

LD 1668 is aligned with the research on what is known about how best to keep our communities and young people safe and healthy. It provides clear directions that would direct the Department of Corrections to close the Long Creek Youth Development Center by June 30, 2023 and ensure that all current youth incarceration funds directed at the Center are divested and utilized for community-based integration services. Additionally, the current facility would be repurposed for use as a community center with supportive housing, instead of risking the facility to become another incarceration system for marginalized populations, such as unaccompanied youths seeking refuge.

Moreover, the bill's accountability measures are promising and encouraging. Establishing an entity to review the transition of funds that consists of diverse range of impacted members of community allows the process of reinvestment to be aligned with the needs of the community, such as supportive housing, jobs, programs, educational programs, and mental health and substance use disorder treatments.

This bill strongly mirrors work being done nationwide including New York City, Chicago, and Oakland, which have implemented successful community-design practices aimed at transforming youth justice and have moved resources directly into communities. Such solutions focus on divesting funds from existing youth detention facilities and utilize remaining funds towards community-based programming.

Additionally, removing Juvenile Services from adult corrections is a supported recommendation. Ensuring that youth are not housed in the same facilities as adults is crucial as doing so has proven to have harmful effects on such individuals. Specifically, allowing youth services to remain within adult corrections has placed youth at a higher risk of physical, sexual, and emotional abuse.¹² Only ten states remain within the United States with adult corrections authority with California getting ready to close its system in 2023, that number will drop to nine.

¹⁰ Vincent N. Schiraldi. *Can we eliminate the youth prison? (And what should we replace it with?)*, Executive Session on the Future of Justice Policy, The Square One Project, Columbia Justice Lab (June 2020): 11. (<https://squareonejustice.org/wp-content/uploads/2020/06/CJLJ8234-Square-One-Youth-Prisons-Paper-200616-WEB.pdf>)

¹¹ Tony Fabelo, Nancy Arrigona, Michael D. Thompson, Austin Clemens, & Miner P. Marchbanks III. *Closer to Home: An Analysis of the State and Local Impact of the Texas Juvenile Justice Reforms*. January 2015: Council of State Governments Justice Center & The Public Policy Research Institute at Texas A&M University. (<https://csgjusticecenter.org/wp-content/uploads/2020/01/texas-JJ-reform-closer-to-home.pdf>)

¹² Rachel Marshall, "Removing Youth from Adult Jails: A 50-State Scan of Pretrial Detention Laws for Youth Transferred to the Adult System." (Campaign for Youth Justice Federal Policy Counsel, 2019), http://www.campaignforyouthjustice.org/images/Pretrial_Housing_Report_FINAL.pdf.

This now reflects a national demonstration that removing Juvenile Services from adult corrections has been a successful endeavor.¹³ The Maine Juvenile Justice System Assessment prepared by the Center for Children’s Law and Policy explicitly recommended to “plan for and transition juvenile justice responsibilities to a new agency or different child-serving agency.”¹⁴

III. Examples in New York City

Starting in 2003, a variety of juvenile reform efforts were instituted in New York City that, by 2011, reduced the number of youths being sent to residential confinement by 55 percent.¹⁵ The city initiated a new detention risk-assessment instrument coupled with a range of detention alternatives that reduced detention and pre-adjudication arrest rates, likely also contributing to a reduction in youth committed post-adjudication.

In 2012, the legislature enacted Close to Home, which shifted responsibility for confining youth from New York state to the city. The Close to Home Initiative (C2H) created a continuum of non-residential and residential supports and programs for youth adjudicated delinquent in New York City. Among those programs include small home-like facilities located across the boroughs that are run by non-profit organizations.

Since bringing youth confinement into the city in smaller, non-correctional settings, New York City has continued to see the number of confinements fall considerably, as Close to Home has expanded its use of alternatives and introduced a series of practice reforms aimed at keeping youth in the community and close to their families. The city has implemented several additional programs that focus on building skills and competencies, such as working with specialized probation officers to build positive adult relationships, employment skills, and social-emotional competence. The city also utilizes The Arches Transformative Mentoring program (Arches) to maintain public safety through community-based programming and mentoring intervention that supports personal development as a proactive prevention of future criminal activity.¹⁶ In the four years following the passage of Close to Home, youth arrests in New York City plummeted by 52 percent, double the rate of decline in the four years preceding Close to Home.¹⁷ There we close to 500 youth adjudicated in Family Court who were in state custody when we planned for Close to Home; now there are no youth in state custody and only around 60 youth in small, local facilities no larger than 20 beds, often as small as six beds, all run by non-profits. Most of the youth adjudicated now go home with services from our more robust continuum of care, paid for by savings from reduced youth incarceration.

¹³ Geo, “Juvenile Justice Services,” JJGPS (JJGPS - Juvenile Justice, Geography, Policy, Practice & Statistics, n.d.), <http://www.jjgps.org/juvenile-justice-services>.

¹⁴ “Maine Juvenile Justice System Assessment” (Center for Children’s Law and Policy, 2020), <https://irp-cdn.multiscreensite.com/de726780/files/uploaded/Maine%20Juvenile%20Justice%20System%20Assessment%20FINAL%20REPORT%202-25-20.pdf>.

¹⁵ Ferone, J.J., Salsich, A., and Fratello, J. (2014). The Close to Home Initiative and Related Reforms in Juvenile Justice. New York, NY: Vera Institute of Justice. Available online: <http://www.nyc.gov/html/ceo/downloads/pdf/policybriefs/placement-brief.pdf>.

¹⁶ Lynch, M., Astone, N.M., Collazos, J., Lipman, M., Esthappan, S. (2018). Arches Transformative Mentoring Program: An Implementation and Impact Evaluation in New York City. New York, NY: Urban Institute. Available online: https://www.urban.org/sites/default/files/publication/96601/arches_transformative_mentoring_program.pdf.

¹⁷ Schiraldi, V. (2018). Does Keeping Youth Close to Home Really Matter? A Case Study. New York, NY: Columbia Justice Lab. Available online: https://justicelab.columbia.edu/sites/default/files/content/close_to_home_0.pdf.

The Maine Criminal Justice and Public Safety Committee is convening at a pivotal moment to build on the state's momentum in reducing youth crime, incarceration, and supervision. From decades of research and experience, I know less is more when it comes to our youth justice approach, which have often resulted in a destructive cycle of juvenile involvement in the criminal legal system. I very much hope the Joint Criminal Justice and Public Safety Committee will take this opportunity to swiftly pass LD 1668: Resolve, To Develop a Plan To Close the Long Creek Youth Development Center and Redirect Funding to Community Integration Services for Adjudicated Youth.

Respectfully submitted,



[Vincent N. Schiraldi](#)

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