

Volume 6, Issue 22, March 2009

Juvenile Gaps

Agency Miscounts Need for Community and Residential Services

Executive Summary

In a long-awaited analysis, the Department of Juvenile Services significantly underestimates the need for Multi-Systemic Therapy and other evidence-based community services. Additional errors result in an overestimate of the need for secure facilities. The Department's analysis could result in wasted money and reduced public safety.

Background

Five years ago, the Maryland General Assembly ordered the Department of Juvenile Services to develop a "gap analysis" reflecting services needed in comparison to those available.¹ The Department has, at long last, produced its analysis.²

Analysis

Multi-Systemic Therapy

To his credit, Juvenile Services Secretary Donald DeVore wants "the hallmark" of his administration to be the use of Multi-Systemic Therapy (MST) and Functional Family Therapy (FFT), two proven programs which rehabilitate youth in their own homes and communities.³

The Department's gap analysis determined that it needs only 54 more slots statewide for both services. This calculation suffers from numerous flaws.

First, the analysis assumes that only youth placed in group homes are potentially eligible for MST or FFT. This narrow definition runs

directly contrary to the Department's own earlier examination that included a much broader eligible population.⁴

Second, the analysis assumes that only 20 percent of eligible youth could benefit from MST or FFT. This was based on the misuse of a risk assessment instrument. The Department excluded youth with "high" scores or in secure placements. It also used the instrument for youth already in residential placement; the instrument asks questions that are relevant only for youth coming into placement.⁵

Advocates for Children and Youth is completing a study of youth placed into residential programs, and its preliminary findings are that 30 percent of youth fit the criteria for MST alone, not including FFT.⁶

⁴ Department of Juvenile Services, *DJS Plan to Reduce Out-of-Home Placements* (Feb. 2008). The Department included all youth who were in group homes, residential drug treatment and youth camps, excluding only youth in Residential Treatment Centers (RTCs) or secure placements. The difference is significant—583 admissions to group homes versus more than 1,900 to non-secure, non-RTC placements. The gap analysis also included 240 youth in pending placement who ultimately ended up in group homes. This appears to double count youth admitted to group homes during the course of a year.

⁵ The instrument, the Washington State Juvenile Court Assessment, factors in a youth's current connection to community, something that youth already in confinement are much less likely to have. The youth's score on the assessment is supposed to determine what intervention the youth should receive, not whether the youth should be confined. As such, the Department used the assessment in a way that resulted in higher risk findings. For more on the mistakes made by the Department, see Advocates for Children and Youth, *The Real Need* (Feb. 2008).

⁶ The study is based on an examination of court records in Baltimore City.

¹ Senate Bill 583 (2004).

² The Department submitted the gap analysis on March 9, 2009.

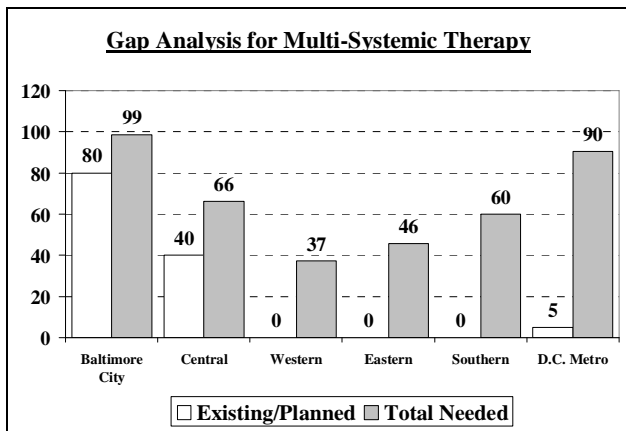
³ The Secretary said this to the State Advisory Board for Juvenile Services.



Third, the analysis does not distinguish between the need for MST and FFT, even though these are two different programs that serve distinct populations. The availability of FFT does not mean that the need for MST is satisfied. Fourth, the analysis does not separately consider need in each region of the State. MST and FFT are provided to youth in their own homes. MST capacity in one part of the State cannot be used for a youth living in another part of the State.

Fifth, the analysis overestimates the number of youth who can be served by a single slot of MST in one year. The duration of the program is such that a single slot is likely to serve two, not three, youth per year.⁷ Finally, the analysis does not consider that there may be times of the year when the need is higher than the average; some extra capacity is needed to handle these peaks.⁸

When all of the factors are considered properly, the State needs a total of 398 slots for Multi-Systemic Therapy. The Department currently has plans for 125 MST slots; 25 exist, and 100 new slots are expected shortly. This leaves a deficit of 273 slots. As shown below, there are gaps in each of the State’s six regions. This includes only MST, not FFT.⁹



⁷ The Department’s MST program in Baltimore County assumes that each slot will serve two youth.

⁸ The Department included this “peaking” factor when calculating the need for secure facilities.

⁹ See Table I in the Appendix for details. This is based on 30-percent eligibility of all youth admitted to residential placements, divided among the six regions proportionally based on the most recent data. It uses the Department’s peaking factor of 27.8 percent. An additional 17 slots are needed based on youth currently sent out of state.

Hardware Secure Facilities

The gap analysis determines that the Department needs 156 “secure” beds, of which it says it has only 48 beds. As such, it proposes new 48-bed secure facilities in Baltimore City and Prince George’s County, and a smaller secure facility in southern Maryland. This calculation suffers from numerous flaws.

First, the analysis does not consider need by region. Maryland law requires that each region have enough facilities to serve every child from that region unless they require “specialized services.”¹⁰ This is also consistent with the research findings that youth can best be rehabilitated when they are placed close enough to their families to allow for whole-family services and close enough to their home communities to allow for transition planning during placement.

Second, the analysis uses an inconsistent definition of “secure” and misapplies that definition, such that the need for these facilities is overestimated. Prior to this gap analysis, the Department used “secure” for two different types of facilities. “Hardware secure” facilities had fences or locked doors; “staff secure” did not. In the gap analysis, “secure” means only hardware secure. Staff secure facilities are in a new, different category.

The analysis does not properly account for this new, narrower definition of “secure.” When the Department previously determined that some group home youth needed “secure” placements, “secure” could have meant staff or hardware secure. The gap analysis assumes that 100 percent of these youth would need hardware secure, when no more than half would.

The Department also assumes that 100 percent of out-of-state youth coming back into the State will need hardware secure placements, even though it just justified the licensing of a new staff secure facility, the Silver Oak Academy in Carroll County, based on the return of out-of-

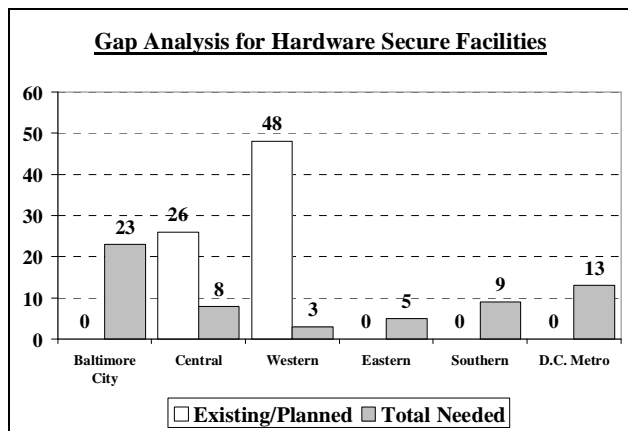
¹⁰ *Maryland Human Services* § 9-238.1(b)(2).

state youth. No more than half of the returning youth will need hardware secure facilities.

Third, the analysis does not consider the impact of increased use of Multi-Systemic Therapy and Functional Family Therapy, which will result in a diversion of youth from secure placements. Fourth, the analysis does not consider the impact of reduced recidivism from more effective programming. If fewer youth leaving secure placements require recommitment, the overall need for secure placements will drop.

Finally, the analysis does not include as a hardware secure facility, New Directions, at Hickey in Baltimore County, even though it serves sex offenders behind a fence.¹¹

When these factors are considered, the overall need for hardware secure facilities is 61 beds statewide, not 156. Maryland currently has 74 hardware secure beds. As shown below, there is an unmet need of 50 beds in four regions, and two regions have too many beds. This does not include staff secure facilities; many of the regions likely have unmet needs for these facilities.¹²



¹¹ The gap analysis includes New Directions as a staff secure facility.

¹² See Table II in the Appendix for more detail. The proportional need for each region reflects historical data. The analysis includes 50 percent of those youth currently in group homes who the Department identified as needing secure placements and 50 percent of youth coming back from out-of-state. The analysis reduces need by 10 beds to reflect use of Multi-Systemic Therapy and Functional Family Therapy and 10 beds to reflect the impact of reduced recidivism.

Recommendations

1. The Maryland General Assembly should include budget language that requires the Department of Juvenile Services to invest \$3 million in FY 2010 to expand Multi-Systemic Therapy by the 300 slots required to fully meet the need. The Department will save more than \$3 million during the fiscal year as the result of reduced expenses on residential services.¹³
2. The Maryland General Assembly should include budget language that freezes any spending on new juvenile facilities until the Department recalculates its need for each type of residential program for each region, taking into account the differences between hardware and staff secure and the impacts of Multi-Systemic Therapy and Functional Family Therapy and reduced recidivism.

¹³ See Advocates for Children and Youth, *Paying for Itself* (Dec. 2008).

Appendix

Table I: Need for Multi-Systemic Therapy By Region

Region	% Total	Youth	30% MST	Slots	w/ Peak	Existing/ Planned	Unmet Need
Baltimore City	23.8%	514	154	77	99	80	19
Central	16.0%	346	104	52	66	40	26
Western	9.0%	194	58	29	37	0	37
Eastern	11.0%	238	71	36	46	0	46
Southern	14.4%	312	94	47	60	0	60
D.C. Metro	21.8%	472	142	71	90	5	85
Total	100.0%	2162	649	324	398	125	273

Table II: Need for Hardware Secure Facilities By Region

Region	% of Total	Initial Need	Group Homes	Out-of-State		Increased Diversion	Reduced Recidivism	Revised Need	Peak	Existing	Unmet Need
				Stay	Staff Secure						
Baltimore City	38.2%	41	8	-11	-13	-4	-4	18	23	0	23
Central	12.5%	14	3	-4	-4	-1	-1	6	8	26	0
Western	4.4%	5	1	-1	-1	0	0	2	3	48	0
Eastern	8.8%	10	2	-3	-3	-1	-1	4	5	0	5
Southern	14.7%	16	3	-4	-5	-1	-1	7	9	0	9
D.C. Metro	21.3%	23	5	-6	-7	-2	-2	10	13	0	13
Total	100.0%	108	22	-30	-33	-10	-10	47	61	74	50