

**AUDIT
REPORT****Deschutes County
Delinquent Youth
Demonstration Project**

Bill Bradbury, Secretary of State
Cathy Pollino, Director, Audits Division

Summary**PURPOSE**

As required by statute, we conducted a performance audit of the Deschutes County delinquent youth demonstration project. Our audit reviewed the costs and accomplishments of the demonstration project and compared them to the state's juvenile corrections system.

RESULTS IN BRIEF

Our audit identified significant differences between the demonstration project and the state's juvenile system. Yet, despite these differences, we found that neither approach is clearly superior. Rather, our audit results suggested that there are advantages and disadvantages to both approaches. The Deschutes demonstration project features shorter, less expensive detention periods with more emphasis on community service, restitution, and victim support. When we compared juvenile offenders with similar criminal backgrounds, we found that county offenders served about half the time that state offenders served and they spent less than one third

as much time in aftercare. Consequently, the state system offers more direct public protection because juvenile offenders are incarcerated for longer periods of time. However, longer periods of incarceration also impact the cost of the state system, which is higher than the county's on a per-case basis. Finally, our audit found that neither system has demonstrated a clear advantage over the other in terms of preventing a youth's return to criminal behavior. For the sample of cases that we reviewed, more than half of those released from both county and state facilities had been returned to custody in a juvenile or adult facility within one year.

AGENCY RESPONSE

Deschutes County and the Oregon Youth Authority generally agreed with the information presented in our report and have provided written comments that are included at the end of this report.

Introduction

During its regular session in 2001, the Oregon Legislative Assembly passed, and Governor Kitzhaber signed, Senate Bill 384. This bill included a provision that required the Secretary of State's Audits Division to conduct a performance audit of the Deschutes County delinquent youth demonstration project. The Legislative Assembly had authorized the six-year demonstration project in 1997 so that the county could assume "local management responsibility for certain adjudicated delinquent youth to reduce its reliance on the state's close custody system." In House Bill 3737, the state agreed to provide resources equal to the cost of incarceration in the state system. In exchange, the county was permitted to assume local management responsibility for adjudicated youths who, without the demonstration project, would have been placed in state

custody. While the program was intended to reduce the county's reliance on the state's close custody system, juveniles convicted in the adult criminal system of certain violent offenses defined in statutes were deemed ineligible to participate. House Bill 3737 excluded juveniles convicted of any of the 23 violent crimes named in Measure 11 (ORS 137.707) from participation in the county demonstration project. Similarly, the county was prohibited from including youths age 14 or younger who were adjudicated for certain serious felonies and placed in public safety reserve beds in state facilities. The authorizing legislation laid out the guiding principles for the demonstration project, which were to:

- Ensure youth and parental accountability, safety of the public, and consideration of needs and interests of victims;

- Emphasize investments with long-term benefits for public safety, community justice, and the development of healthy, responsible, and educated youths;
- Establish incentives for the county to manage resources in an effort to reduce the likelihood that local youths will become wards of the state;
- Maximize community resources and involvement through greater local responsibility for a continuum of preventative and remedial services and supports; and
- Demonstrate an effective state and local partnership on an issue of statewide importance, that of improving outcomes for youths while reducing the long-term burden on the state's youth and adult corrections systems of the cost of crime.

The demonstration project, also known as the Community Youth In-

vestment Program, is managed as a part of the Deschutes County Community Justice Department. It is located in Bend in the county's 65-bed Juvenile Resource Center, an \$8 million 53,000 square foot facility that was completed in 1998. The resource center houses most of the county's juvenile justice services, including: an intake and assessment center, detention facilities configured in four separate pods, a juvenile court room, a community meeting room, school facilities, an indoor recreation area, clinics for basic medical and dental care, a group treatment area, and office spaces for program personnel. The demonstration project occupies one of four detention units in the resource center and, at maximum capacity, the unit can hold up to 14 juvenile offenders.

The county's process for screening youths for participation in the demonstration program begins with a group called the Resource Development Team. Comprised of state youth authority staff, county program staff, community service providers, the juvenile offender, and the offender's family, the team is responsible for making an initial referral to the program. The district attorney may either agree with the group's recommendation or argue for other options. Placement occurs on the order of a county juvenile court judge or referee.

Once ordered into the program, youths are required to complete a treatment program that lasts about four months. County staff initially gathers information and assess participants in areas such as physical and mental health, family background, social development, educational background, and vocational skills. Offenders are assigned a primary counselor to assist them in increasing their competencies and strengths to cope more productively when they return to the community. School engagement, community work service, progression through a peer-influenced level system, posi-

tive home visitations, and good attitudes are part of the requirements of the program. After completing the incarceration phase of the program, youths transition back into the community, where they participate in aftercare services and are supervised by county staff. Deschutes County also has implemented six early intervention and prevention programs intended to address issues that prevent young people from leading productive and positive lives.

Under House Bill 3737, the state is required to pay Deschutes County an amount "equal to the average daily cost of the Oregon Youth Authority's close custody services" for each eligible youth moved from state close custody into a community placement. Each year, the statutes require state officials to determine Deschutes County's share of close-custody resources under a formula established by OYA, in consultation with the Oregon Juvenile Department Director's Association. County officials notify OYA of the number of youths they expect to serve locally for the entire year, and they receive state funds based on their estimates. At the end of the fiscal year, there is a reconciliation to determine the amount owed the county or the state. Deschutes County is authorized to invest any "excess" funds in community-based programs and services designed to reduce juvenile crime.

Background

Oregon's juvenile justice system has undergone significant changes in recent years. In 1994, voters approved Ballot Measure 11, which automatically places juveniles age 15 and over in the adult criminal system if they are charged with any of 23 specified felonies. In 1995, the Legislative Assembly passed Senate Bill 1, providing additional changes to the state's juvenile justice system. A primary feature of the reorganized system was the creation of a new state agency responsible for

the custody and supervision of juvenile offenders committed to state custody. The Oregon Youth Authority (OYA) provides a continuum of services to protect the public and reduce juvenile crime through programs and partnerships with local communities and counties. In Senate Bill 1, the Legislative Assembly declared:

...the purposes of the Oregon juvenile justice system from apprehension forward are to protect the public and reduce juvenile delinquency and to provide fair and impartial procedures for the initiation, adjudication and disposition of allegation of delinquent conduct. The system is founded on the principles of personal responsibility, accountability and reformation within the context of public safety and restitution to the victims and to the community.

OYA is responsible for young offenders adjudicated (judged) in the juvenile system and certain young offenders convicted in the adult court system. Juvenile courts turn over legal and physical custody of young offenders to OYA. The agency retains each offender until the court involved terminates its original order. There are no sentences in the juvenile justice system. A youth may be committed to OYA until age 25, but there is no minimum time to be served in close custody.

Legal custody of youths convicted in adult courts, however, is the responsibility of the Department of Corrections. The Department of Corrections may transfer physical custody to OYA, depending on the age of the individual involved.

OYA's custody arrangements include its secure facilities and community placement for youths placed on either probation or parole. According to OYA officials, juveniles assigned to the custody of the Department of Corrections may be

placed only in OYA’s secure facilities.

Objectives, Scope, and Methodology

Our audit work was centered around two questions:

- How does the cost of the Deschutes program compare to the cost of the state system?
- To what extent does the Deschutes program achieve results that are comparable to the state system?

Our audit did not evaluate crime prevention programs, community involvement, or any other matters.

To gain an understanding of how the programs operate, we obtained relevant evidence by observing program operations, interviewing staff, and reviewing a variety of documents. We obtained and reviewed relevant state statutes, accounting records, management reports, and case files for incarcerated youths. We also contacted victims of juvenile offenders to inquire about their experiences with the juvenile justice system. We reviewed available records for all 46 of the juvenile of-

fenders released from the incarceration phase of the Deschutes program during calendar years 1999 and 2000. We tracked each of these cases for a 12-month period following release. To provide a basis for comparisons, we also reviewed a random sample of 64 juvenile offenders released during the same period from OYA facilities. Our OYA sample was selected from a population of offenders matched on the severity of previous offenses. Deschutes County and OYA officials agreed this was an appropriate method to compare the two programs.

We conducted our audit in accordance with generally accepted government auditing standards.

Audit Results

Longer Stays in State Facilities Impact the Cost of the State System

We analyzed financial records for Deschutes County and OYA to determine the full cost of service for both programs, excluding capital costs. We found that average daily costs to provide services to incarcer-

ated youths were higher for the county. However, because juvenile offenders spend less time in detention and aftercare, the county’s average cost per case was less than the state’s average cost. For the 1999-2001 budget period, we found:

- Compared to OYA, the average cost per case for juvenile offenders in the Deschutes program was about 26 percent less.
- Deschutes’ average cost per case was lower because juvenile offenders serve less time in both the incarceration and aftercare phases of the county’s program. Juvenile offenders in Deschutes’ program were incarcerated for about half the time that OYA offenders served and they spent less than one third as much time in aftercare.
- Deschutes’ costs per day for incarceration were about 20 percent more than OYA’s and the county’s daily aftercare costs were more than three times higher.

Figure 1 provides a summary of our findings concerning the cost of both programs.

Figure 1: Summary of Costs and Comparisons

	<u>Deschutes</u>	<u>OYA</u>
Cost per Day for Incarceration	\$202	\$166
Average Length of Stay in Correctional Facility	4.4 months	8.3 months
Average Cost per Case for Incarceration	\$26,764	\$41,397
Cost per Day for Aftercare/Parole	\$62	\$20
Average Length of Stay in Aftercare/Parole	11.6 months	40.0 months
Average Cost per Case for Aftercare/Parole	\$21,633	\$24,469
Total Average Cost per Case	\$48,396	\$65,866

Source: Audits Division analysis of Deschutes County and OYA accounting records for the 1999/2001 biennium

Demonstration Project Costs Are Paid With Both State and County Funds

While the average cost per case was less in the county, the total cost for incarceration and aftercare in the demonstration project exceeded payments from the state. Consequently, county funds were necessary to bridge the gap between the total cost of the demonstration project and available funding from other sources.

For the 1999-2001 budget period, we estimated the full cost for incarceration and aftercare in the Deschutes County demonstration project was \$1,978,353. The state provided \$1,563,683 in support. However, the county used \$440,587 of the state money to pay for its early intervention programs for at-risk youth. As a result, we estimate the county's portion was \$855,257. The county reported that they had reduced their share of the cost of the demonstration project by using \$192,252 in additional state funding received for juvenile diversions and juvenile crime prevention. Thus, we estimate the county's total cost was \$663,005 for this two-year period.

Deschutes County Has Reduced Its Use of Juvenile Corrections Beds

Our audit also found that Deschutes County has achieved a net 25 percent reduction in bed usage for delinquent youth since beginning its demonstration project in 1998. During the six-month period just prior to beginning its new program, the county used an average of about 22 beds in youth correctional facilities operated by the Oregon Youth Authority. With the advent of the demonstration project, the county's usage of state beds has declined steadily. During fiscal year 2001, the county averaged just over six state close custody beds. This represents a 72 percent reduction in the county's use

of state beds. This was not a net reduction in bed usage, however, because the county has housed an average of about 10 juveniles a day as part of the demonstration program. Thus, since beginning its new program, the county has achieved a net reduction of about 25 percent in its use of juvenile corrections beds.

Program Strengths Will Need to be Weighed Against Public Safety Risks

We compared juvenile offenders from the county and state systems with similar criminal backgrounds and found that the initial results of the Deschutes County demonstration project have been mixed. The demonstration project features shorter, less expensive detention periods with more emphasis on community service, restitution, and victim support. While these may be seen as positive results, program managers and policy makers will need to consider these achievements in the context of public safety concerns.

Neither program demonstrated a clear advantage over the other in terms of preventing a youth's return to criminal behavior. Nonetheless, community members in Deschutes County are at a somewhat greater risk of victimization because offenders are incarcerated for shorter periods and they perform community service work. This additional risk is directly related to the additional opportunity resulting from shorter stays in the Deschutes program and more time spent in the community. Our results show that significant numbers of juveniles released from both state and county committed new offenses and a majority were returned to custody in juvenile or adult facilities within a year of release.

Neither County nor State Approach is Clearly Superior

Figure 2 provides a summary of our findings related to outcomes of both programs. Our audit found that neither system is clearly superior in preventing youths from returning to criminal behavior.

For the cases that we examined, more than half of both groups had experienced new criminal referrals within one year of release. Typically, a new referral is an arrest—it is an allegation received by a county juvenile department that a crime or a cluster of crimes occurred. We found that 59 percent of the offenders released from the Deschutes program had experienced new criminal referrals within one year of release from the incarceration period of the county's program. For the group with similar criminal backgrounds released from state facilities during the same period, 53 percent experienced new criminal referrals within a year of release.

Although the overall rate for new criminal referrals within one year was somewhat higher for the Deschutes program, their referral rate for person-to-person crimes (such as assault or robbery) was somewhat lower. We found that 24 percent of the juveniles released from the Deschutes program had new referrals for person-to-person crimes within a year. This compared to 27 percent for juvenile offenders released from state facilities.

Also, relatively more offenders from the county program had new referrals for property offenses than did state offenders: 43 percent of the county offenders had received new referrals for property crimes compared to 28 percent for state offenders. Both systems experienced similar referral rates for youths already in custody: 8 percent of OYA offenders had new referrals

Figure 2: Summary of Results and Comparisons

	<u>Deschutes</u>	<u>OYA</u>
Percentage of youths with a new referral within 12 months of release	59%	53%
Percentage of youths with a new referral for a person-to-person crime within 12 months of release	24%	27%
Percentage of youths with a new referral for a property crime within 12 months of release	43%	28%
Percentage of youths with a new referral while in custody	11%	8%
Percentage of youths with a new adjudication within 12 months of release	39%	30%
Percentage of youths with a new adjudication for a person-to-person crime within 12 months of release	11%	14%
Percentage of youths with a new adjudication for a property crime within 12 months of release	26%	16%
Percentage of youths returned to custody in a juvenile or adult facility within 12 months of release	65%	58%
Average number of community service hours completed during the program or within 12 months of release	211 hours	4 hours
Restitution paid during the program or within 12 months of release, as a percentage of total restitution owed	52%	28%
Percentage of youths who paid the full amount of restitution ordered within 12 months of release	52%	18%
Percentage of youths earning a high school diploma or GED during the program or within 12 months of release	17%	41%
Percentage of youths enrolled in a school program during the 12 months following release	63%	17%
Percentage of youths with at least 80 hours of paid employment during the 12 months following release	39%	42%

Source: Audits Division analysis of Deschutes County and OYA records

during their periods of incarceration, compared to 11 percent for Deschutes County.

We found similar patterns when we looked at new criminal adjudications within 12 months of release. A criminal adjudication is the juvenile system's equivalent of a conviction in adult criminal system. Juvenile offenders from the Deschutes program were more likely to have been adjudicated for an offense during the first year after release than were offenders released from state facilities. For the cases that we reviewed, 39 percent of the Deschutes offenders had been adjudicated on new charges within a year of release. That compared to 30 percent for of-

fenders released from state facilities. However, those in the group of Deschutes offenders were less likely to have committed a person-to-person crime than were those released from state facilities. For the Deschutes and state groups, we found that 11 and 14 percent, respectively, had been adjudicated on new person-to-person crimes within one year. The adjudication rate for property crimes was 26 percent for the Deschutes and 16 percent for the state group.

Finally, we looked at offenders who were returned to either juvenile or adult correctional facilities within one year. For the offenders released from the Deschutes program, we

found that 65 percent had been returned to custody in a juvenile or adult facility within one year. For offenders released from state juvenile correctional facilities, the comparable figure was 58 percent.

Deschutes County Stresses Community Service, Restitution, and Victim Support

Our audit found indications that the county has had some early success in serving a broader set of needs than those traditionally considered by the juvenile justice system. For example, offenders from the Deschutes program provided signifi-

cantly more community service than did OYA offenders. We found that offenders from the Deschutes program completed an average of 211 hours of community service before their release from detention. That compared to an average of 4 hours for offenders from state facilities. Also, Deschutes' offenders paid a higher percentage of restitution owed than did state offenders. Offenders from the Deschutes program paid an average of 52 percent of restitution owed, compared to 28 percent for state offenders. Finally, more Deschutes offenders paid their restitution in full than did offenders from state facilities by a margin of 52 percent to 18 percent. OYA provides work and community service opportunities in its work study camps; however, juvenile offenders housed in regional youth correctional facilities generally do not have an opportunity to be out in the community either working to earn

money to pay restitution or providing community service.

We found that Deschutes offenders were more likely to be enrolled in a school program after release than were OYA offenders. During the 12 months following release, 63 percent of Deschutes offenders were enrolled in a school program, compared to 17 percent for offenders from state facilities. However, more offenders released from state facilities earned a high school diploma or GED compared to Deschutes offenders by a margin of 41 percent to 17 percent. Two factors may be relevant to these findings. The Deschutes offenders were younger than OYA offenders by about a year. Also, as discussed earlier, OYA offenders stayed longer in correctional facilities where school programs are mandatory.

Juvenile offenders leaving both program had similar employment

rates. State employment records showed that 39 percent of the Deschutes County group worked at least 80 hours during the first year following their release. The figure for the state group was 42 percent.

Finally, we telephoned a sample of victims of juvenile offenders from the Deschutes program and found that they were generally satisfied with the services they had received. All indicated that they had been provided services required by state statutes and all expressed a high degree of satisfaction with the services provided. We also contacted victims of offenders from state facilities. Overall, the Deschutes victims were more satisfied with the services they received than were victims of offenders from state facilities. The most frequent complaint we heard concerned lack of restitution payments from juveniles in state facilities.



Oregon

John A. Kitzhaber, M.D., Governor

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June 24, 2002

Cathy Pollino, Director
Audits Division
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Dear Cathy:

Thank you for the opportunity to respond to your office's audit of the Deschutes County Delinquent Youth Demonstration Project. I generally agree with the information presented in the audit. The Oregon Youth Authority (OYA) found the audit team to be very professional and we appreciate their patience in learning about Oregon's county and state juvenile justice systems.

Further, the OYA is aware that its efforts concerning payment of restitution and services to victims may need to be strengthened. Youth are committed to the OYA from every county in the state and these important victims' issues are too frequently poorly coordinated. We have already identified this as shortcoming of our system and, to this end, the OYA has joined in statewide efforts that address these issues. We are participating on a task force convened by Attorney General Hardy Myers to review Oregon's current restitution system and to make recommendations for reformation. We are also just ready to join the adult corrections system to provide victims notification of certain youth offender releases to the community through the VINE system, the Victims Information Notification Everyday system. Third, the OYA Advisory Committee has worked for a number of months reviewing victims' services related to the statewide juvenile justice system. Based on recommendations from the committee, OYA will be initiating a review of current agency policies and requirements related to these services.

Sincerely,

Karen Brazeau
Director

cc David Dean





Board of Commissioners

Tom DeWolf, Chair ☎ 541-388-6567

**Catherine E. Pollino, Director, Audits Division
Office of the Secretary of State, Salem**

1130 NW HARRIMAN • BEND, OREGON 97701

Dear Ms. Pollino,

June 21, 2002

Thank you for the opportunity to respond to your audit of Deschutes County's Community Youth Investment Program (CYIP). We appreciate the audit team's extensive work and affirm your findings.

Earlier this year, public safety was identified as an area needing improvement in the CYIP. We have established protocols and performance measures to decrease the number of unauthorized absences from community placements, enhance community care planning prior to a youth's transition and ensure youth involvement in school and work opportunities. We will continue to strive for lower recidivism rates and management of youth in the community, using best practices from both across the nation and in Oregon.

To clarify the County's financial contribution to the program, the CYIP supports a variety of juvenile crime systems and efforts, including a reintegrative incarceration program, Community Care, a Public Safety Reserve "savings account", up to five early intervention programs and, since 1999, a program evaluation. This results in total program costs that exceed the county's close-custody funds received from the state.

The audit shows average CYIP overall case costs as being lower than those of OYA. This, in conjunction with the County's financial support (including the \$8 million construction of a secure facility and the \$71,500 the County has paid the State when we have exceeded our bed "cap"), offers legislators compelling evidence about the ability, and perhaps necessity, of local communities sharing the financial burden of juvenile crime. This is particularly important in the context of Oregon's strained financial outlook.

However, we acknowledge that any analysis of cost benefit must first consider public safety outcomes. While longer periods of incarceration can present greater potential for short-term public safety, it is not clear that they result in greater permanent public safety, as a recent Department of Justice study indicates. Taken together, the audit recidivism and cost findings indicate that the CYIP's program model has saved crucial State resources, and "that neither system is clearly superior in preventing youths from returning to criminal behavior." House Bill 3737 mandates that the CYIP strive to improve outcomes for youth "while reducing the long-term burden on the state's youth and adult corrections systems of the cost of crime." The audit indicates the program has made meaningful progress toward meeting this challenge.

Based on the audit's scope of investigation, not all CYIP benefits were examined in depth. A key example is the use of state CYIP funds for early intervention. House Bill 3737 states that the CYIP should maximize community resources and involvement in part to support a continuum of preventative and remedial services. The CYIP has successfully directed funds into research-based early intervention programs. Five early intervention programs have been funded, from home visitations with families with newborns to helping "acting out" kindergartners. All have met or exceeded the outcome goals they set at the beginning of each fiscal year.

The CYIP enjoys local financial and volunteer support for juvenile crime prevention in our community, from business donations to the construction of three Habitat for Humanity homes. We will continue to improve our public safety results while demanding youth accountability in the form of community work service and restitution payments. Your findings indicate good levels of victim satisfaction with this approach. Deschutes County will continue to support the CYIP beyond the pilot phase, using findings such as in this Audit to hold on to the best of the program, improve where we need to, and provide another valuable tool in our State and community to achieve public safety and successful results for our young people.

Tom DeWolf, Chair
Board of County Commissioners

Jenny Scanlon, Director
Director of Juvenile Community Justice



This report, which is a public record, is intended to promote the best possible management of public resources. Copies may be obtained by mail at Oregon Audits Division, Public Service Building, Salem, Oregon 97310, by phone at 503-986-2255 and 800-336-8218 (hotline), or internet at Audits.Hotline@state.or.us and <http://www.sos.state.or.us/audits/audithp.htm>

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The courtesies and cooperation extended by the officials and staff of Deschutes County and the Oregon Youth Authority were commendable and much appreciated.

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