

Priorities *for* New Hampshire's Children 2011

Community Treatment Is Most Effective For Youth

Issue overview

It is well established that the care and treatment of children in their homes and communities produces the best results for everyone. This is true even for children in the justice system. Treatment in community environments provides needed supervision and services without the detrimental effects on children's physical and emotional health and on their prospects for educational and vocational success which are associated with locked institutions.

Community treatment settings outperform juvenile corrections facilities with regard to both the well-being of children and the safety of the community. When youth live in the community and interact with peers they learn to cooperate with others, form meaningful bonds with adults, and develop respect for societal norms. At the same time, treatment provided outside of large institutions can avoid the stress of a corrections facility, incorporate work with families and other natural supports, and draw upon resources in the community.

Children removed from their communities lose contact with their peers and have difficulty returning to school and the guidance and structure that is found there. Once removed from school for a significant period, a child is much more likely to drop out and return to inappropriate behaviors.

Juvenile justice institutions themselves can be detrimental to children. Even the best institutions can subject children to the risks of injury and emotional trauma. Because children placed in juvenile justice institutions have very high rates of mental illness and other disabilities, they are particularly susceptible to trauma. Living in a population of children who have all engaged in inappropriate behaviors increases the likelihood that a child will return to such behaviors upon release. In fact, a prior experience with the juvenile justice system is one of the most important factors in predicting whether a youth will return to previous behaviors.

Families also experience stress and disruption when children are placed away from their homes, which can effect whether a child is able to return to a stable and nurturing environment, which in turn may jeopardize the child's prospects to become a contributing adult.

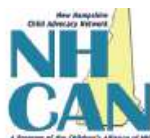
Despite its very low juvenile crime rate, New Hampshire has a history of incarcerating children at the Sununu Youth Services Center (SYSC) for less serious crime and for longer terms than the national average. Compared to the nation's juvenile justice population, a higher proportion of children at the SYSC are there for property offenses and a lower proportion for more serious offenses. Children at the SYSC are also held longer before returning to home and community than in the nation as a whole.

Despite the need to *reduce* the use of our youth corrections facility, there is a danger that new categories of children will be moved to SYSC, which for several years has been operating under capacity. These proposals, driven by budgetary concerns, would remove children from small community shelter programs and use SYSC for children completing residential treatment before they return to the community.

Proposed Solution

Proactive measures must be taken so that our juvenile justice institutions are only used when necessary for the protection of our children and the public. New Hampshire's juvenile laws must be strengthened to make it clear that children who do not present a danger to themselves or to others should be treated in the community rather than in institutional settings.

Legislation will be considered that strengthens protections against the overuse of large institutions for court-involved children and ensures that New Hampshire continues to use community settings for custody and care of children in need of treatment or protection. Legislation that is pursued will attempt to amend the juvenile justice statutes to provide that:



The New Hampshire Child Advocacy Network (NH CAN), a program of the Children's Alliance of New Hampshire, is a statewide, nonpartisan coalition of 100 partners and advisors working to improve the well-being of New Hampshire's children.

1. Children may only be committed to the Sununu Center if necessary to ensure their safety or that of the public;
2. Shelter facilities must remain small and community-based;
3. Any treatment made available in an institution must also be offered in the community;
4. Parole will be required from the Sununu Center after 6 months if a child has not committed any new offenses;
5. Children with disabilities will have the assistance of counsel when they are being returned from the community to a corrections facility;
6. Courts will have the power, upon request, to review the decision to return a released child to the Sununu Center following release.

Call to Action

NH CAN Partners are asked to provide testimony, direct communication, and other advocacy help to promote legislation in 2011 that will maintain and strengthen community-based care for New Hampshire's children.

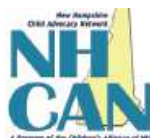
Find out More

The Disabilities Rights Center (DRC) is the NH CAN Partner for this Priority. DRC is a statewide organization that is independent from state government or service providers and is dedicated to the full and equal enjoyment of civil and other legal rights by people with disabilities. The DRC is New Hampshire's designated Protection and Advocacy agency and authorized by federal statute "to pursue legal, administrative and other appropriate remedies" on behalf of individuals with disabilities. For more information regarding this *2011 NH CAN Priority* contact Mike Skibbie at MikeS@DRCNH.org.

Children's Alliance of New Hampshire - Download copies of the complete *Priorities for New Hampshire's Children*, additional fact sheets, and information about the New Hampshire Child Advocacy Network (NH CAN) at the Children's Alliance website, www.childrennh.org. You can also track the progress of all the Priorities-related bills.

References

1. Sickmund, Melissa, Sladky, T.J., and Kang, Wei. (2008) "Census of Juveniles in Residential Placement Databook." Online. Available: <http://www.ojjdp.ncjrs.gov/ojstatbb/cjrp/>
2. The Costs of Confinement: Why Good Juvenile Justice Policies Make Good Fiscal Sense (Justice Policy Institute – available at http://www.justicepolicy.org/images/upload/09_05_REP_CostsOfConfinement_JJ_PS.pdf);
3. OJJDP Model Programs Guide (available at <http://www.ojjdp.ncjrs.gov/>);
4. Holman, Barry and Jason Ziedenberg, The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities (Justice Policy Institute – available at http://www.justicepolicy.org/images/upload/06-11_REP_DangersOfDetention_JJ.pdf).
5. Fact Sheet: Community-Based and Home-Based Alternatives to Incarceration (Center for Children's Law and Policy) (available at <http://www.cclp.org/>);
6. Evidence-Based Juvenile Offender Programs: Program Description, Quality Assurance, and Cost (Washington State Institute for Public Policy—available at <http://www.wsipp.wa.gov/rptfiles/07-06-1201.pdf>);
7. Recent investigations by the Disabilities Rights Center of the Sununu Center can be found at <http://www.drcnh.org/SYSCReport.pdf> and <http://www.drcnh.org/SYSCReport2.pdf>.



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