



**WISCONSIN LEGISLATIVE COUNCIL
STAFF MEMORANDUM**

Memo No. 7

TO: MEMBERS OF THE SPECIAL COMMITTEE ON HIGH-RISK JUVENILE OFFENDERS

FROM: Melissa Schmidt, Staff Attorney

RE: Missouri Juvenile Justice System

DATE: September 9, 2008

At the August 6, 2008 meeting of the Special Committee on High-Risk Juvenile Offenders, information relating to the Missouri Juvenile Justice System, frequently referred to as the “Missouri Model,” was requested. This Memo provides a brief overview the Missouri Model.¹ Also enclosed with this Memo is the Missouri’s Division of Youth Services’ (DYS) pamphlet, “Programs and Services” (2003).

HISTORICAL OVERVIEW

In 1969, the U.S. Department of Justice wrote a report regarding the treatment of juvenile delinquents in Missouri’s Booneville Training School for Boys. This report criticized the “‘quasi-penal-military’ atmosphere,” and “the practice of banishing unruly youth to ‘the hole’ – a dark, solitary confinement room atop the facility’s administration building.” After this report was published, Missouri began the process to close its two large, rural training schools, one for boys and one for girls, and replace them with smaller treatment facilities.

Missouri started this process with a pilot program in the early 1970s. In 1972, the first group homes were established. In 1974, Missouri eliminated the State Board of Training Schools, the state agency charged to oversee juvenile justice, and created the Division of Youth Services (DYS) within the Department of Social Services. In 1975, Missouri created the Five Year Plan whereby the two training

¹ Information for this Memo is taken from the following sources: Mendel, Robert, *Small is Beautiful: the Missouri Division of Youth Services*, AdvoCasey, an Annie E. Casey Foundation publication (2003); Missouri Division of Youth Services (DYS) FY 2007 Annual Report (2007); DYS Frequently Asked Questions, *General Operations*, at www.dss.mo.gov/dys/faq (2008); Abrams, Douglas E., *Reforming Juvenile Delinquency Treatment to Enhance Rehabilitation, Personal Accountability, and Public Safety*, 84 Or. L. Rev. 1001, p. 1065 (2005); and DYS Treatment Services, *Residential Care*, at www.dss.mo.gov/dys/tserv.htm (2008).

schools were to close and be replaced by “expanded community-based services, delinquency prevention programs, staff development and training, improved quality of programs, better education for youth, and effective research and evaluation.” By 1981, the Chilicothe Training School for Girls was closed; the Boonville Training School closed two years later in 1983.

PHILOSOPHY

Missouri statutes require that adjudicated delinquents be placed in the “least restrictive appropriate placement.” [s. 211.081.2, Mo. Rev. Stat.] In its 2007 annual report, DYS emphasizes that “regardless of the security level, overall emphasis is placed on meeting the individualized psychosocial, educational, vocational, and medical needs of the youth in a dignified, structured, supportive, and therapeutic environment.”

FACILITIES

DYS divides Missouri into five regions, operating 32 residential facilities with a total of 710 beds. Smaller facilities are located spread throughout the five divisions in both rural and urban areas. This allows DYS to treat most youth within 30 to 50 miles of their home.

The least secure facilities are called group homes and considered “community-based.” Moderate care facilities provide more security but are also generally located in residential neighborhoods; some are located in state parks as well as college campuses. Juveniles in both group homes and moderate care facilities participate in community activities. The highest security facilities each house approximately 30 juveniles. According to the DYS 2007 annual report, in Fiscal Year (FY) 2007, DYS served 2,061 youth in residential facilities. In addition to residential facilities, DYS also operates 10 day treatment centers. In 2007, these facilities served 699 youth.

FUNDING

The following table lists the daily rates and annual costs for the three types of DYS residential facilities. These amounts reflect operating costs as counties are not charged for any juveniles committed to DYS. [Mo. Rev. Stat. 219.021.1.]

Residential Program Costs FY 2007		
Program	Per Diem	Annual Cost per Bed
Community Residential Programs	\$115.13	\$42,022
Moderate Care Programs	\$122.29	\$44,636
Secure Care Programs	\$161.83	\$59,069

Source: Missouri DYS FY 2007 annual report, p. 16 (2007).

AGE OF JURISDICTION

Missouri defines a child as anyone under the age of 17. [s. 211.021 (2), Mo. Rev. Stat.] In 1995, legislation was enacted to remove the lowest threshold age children may be adjudicated as delinquents. The result is that anyone under the age of 17 may be committed to DYS. [s. 211.181.3, Mo. Rev. Stat.]

According to the 2007 DYS annual report, in FY 2007, 86.7 % of DYS youth were between ages 14 and 16 years. The percentage of juveniles age 13 and younger was 7.7 %.

Because DYS has the authority to determine the location of placement and the types of services provided to adjudicated delinquents, DYS usually determines the length of stay. DYS may retain custody of juveniles until age 18. This may be extended, however, until age 21 if DYS petitions to the juvenile court and shows just cause for continuing delinquency-related services. [s. 219.046.2, Mo. Rev. Stat.]

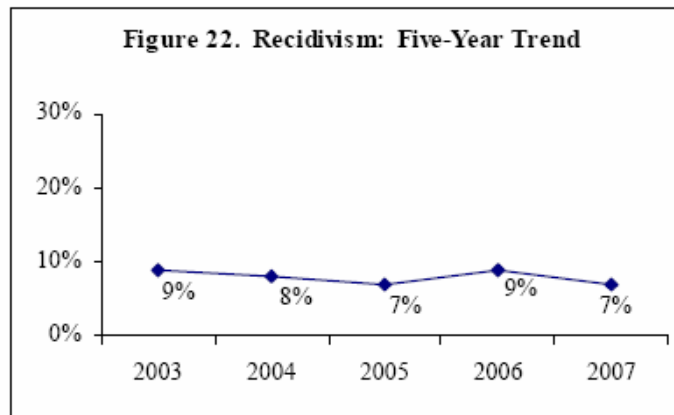
DYS ADVISORY BOARD

DYS operations are overseen by the DYS Advisory Board (Advisory Board). This is a 15-member bipartisan board “comprised of judges, former legislators, civic officials, and concerned citizens.” Membership is representative of DYS’s five geographic regions and the state’s socioeconomic population. Not more than eight members can be from the same political party. [s. 219.046.2, Mo. Rev. Stat.] The Advisory Board advises DYS’s director and acts as a liaison between DYS and the governor. It meets four times each year, visits each facility “as frequently as it deems necessary,” and files written reports with the governor, director of the Department of Social Services, director of DYS, and the legislative library. [s. 219.046.4, Mo. Rev. Stat.]

RECIDIVISM

DYS defines recidivism as the percentage of youth re-entering DYS during the fiscal year who had been discharged during the current or previous years. According to the 2007 DYS annual report, for FY 2007, juvenile recidivism was 7.3%. In a 2007 presentation, DYS reported that of those previously committed to DYS as juveniles and discharged in 2003, 8.6% were incarcerated in a Department of Corrections facility as an adult and 24% were placed on adult probation within three years of DYS discharge. [DYS PowerPoint presentation at: <http://www.juvjustice.org/media/fckeditor/Concurrent%20VIII%20%20Sight%20and%20Sound%20Separation%20from%20Missouri.ppt> (2008).]

The following chart reports DYS recidivism over the last five years.



Source: Missouri DYS FY 2007 annual report, p. 18 (2007).

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Enclosure