



Dan Brady, Council President & Council Members
Cuyahoga County Council
2079 East Ninth Street- 8th Floor
Cleveland, Ohio 44115

Sent by electronic mail to County Council Chief of Staff at jnanni@cuyahogacounty.us

Re: Letter of Support for Juvenile Court 2020-2021 County Budget Request

October 31, 2019

Dear County Council President Brady and Council Members,

I write to express support for the juvenile court's budget request to Cuyahoga County Council for additional funding to best ensure the safety, security and well-being of the children and youth detained, as well as the staff, at the juvenile detention center (JDC).

The Schubert Center for Child Studies bridges research, practice, policy, and education for the well-being of children and adolescents. We have worked on a number of child-related policy matters, including juvenile justice, and have been a part of advancing [developmentally appropriate policy reforms](#) at the state level with the Ohio Department of Youth Services (ODYS) since 2010. In many ways, ODYS has become a national model for reducing overuse of incarceration and investing in evidence-based community alternatives,¹ including the funding of local community-based programming with the Cuyahoga County Juvenile Court. The Cuyahoga County Juvenile Court should be commended as well for its efforts to divert youth from detention where possible, such as the acclaimed CALM project.² We are also encouraged with the court's recent development of the Intervention Center.

We have partnered with the juvenile court on a variety of efforts concerning children and youth; however, we had not been involved with the JDC until after troubling public reports about the detention center a couple of years ago. In collaboration with the court and other organizations, including national and local experts on juvenile justice-involved youth and systems, we have been working to identify strategies for improving the conditions at the JDC.

Over the course of nearly two years of regular visits to the JDC, including informal conversations with youth and staff in the facility, and meetings with JDC and court leadership, we remain concerned about the conditions that persist at the JDC and see the need for appropriate levels of trained staffing as a major factor. Among the top concerns are: 1) the continued overuse of room confinement, 2) the lack of regular youth programming, and 3) the need for professional development and support of detention staff to ensure a shared commitment to safety and effective rehabilitation. The following provides a little more detail about what we found during JDC visits.

¹ See e.g., NJJN and Texas Policy Foundation. The Comeback States: Reducing youth incarceration in the U.S. (June 2013) at http://www.njjn.org/uploads/digital-library/Comeback-States-Report_FINAL.pdf; CWRU Schubert Center for Child Studies, Getting it Right: Realigning Juvenile Corrections in Ohio to Reinvest in What Works. (Jan. 2015) https://artscimedia.case.edu/wp-content/uploads/sites/35/2013/12/14193806/Getting_it_Right.Ohio_Juvenile_Corrections.Final_.pdf; Annie E. Casey Foundation, Ohio JDAI Collaborative Expands Representation to Detention Hearings. (March 2012) at <https://www.aecf.org/blog/ohio-jdai-collaborative-expands-representation-to-detention-hearings/>

² In One Ohio County, Juvenile Court and Law Enforcement Have a Common Goal: Diversion (July 2017) at <https://www.aecf.org/blog/in-one-ohio-county-juvenile-court-and-law-enforcement-have-a-common-goal-di/>

While most of the young people were in classes in the morning, most of them had nothing to do in the afternoons and evenings. Idleness is a recipe for disaster. Many of the children expressed a desire for simple recreation (lack of staffing means kids rarely if ever got outside and had limited time to exercise), any kind of programming (especially to help them with vocational and career interests), and even support with some of their personal and emotional challenges (the social work staff is stretched as well). Young people talked about how fights would often erupt just because they were bored. This is not unique to detention centers; best practice and common sense tells us that engaging young people with enriching activities not only promotes their healthy development but reduces disruptive incidents.

Too often youth were kept in their cells for extended periods of time, rather than being permitted to participate in activities in the common area. Again, because of staffing challenges, the children were spending longer periods in their cells during shift change as well as throughout the day, but especially in the evenings. Isolation can be especially damaging for youth with a history of trauma, which is a significant part of the JDC population, and undermines healthy development for any child.³ As such, the use of room confinement should be minimized and this requires adequate staffing.

We certainly commend many of the reform efforts Judge Sweeney and her staff have undertaken, including key leadership and staffing changes; nevertheless, it is evident they require more resources to more effectively meet the needs of these vulnerable youth. I understand that there is a question about the adequacy of the 1:12 staff-youth ratio. The Prison Rape Elimination Act (PREA) national standard requires 1:8 staffing in juvenile facilities during waking hours,⁴ a ratio which is also recognized by other juvenile professional organizations in their detention standards.⁵ Indeed, even the Ohio Department of Youth Services, recognizing PREA and other best practices, adheres to the PREA 1:8 standard in its state facilities. Clearly, best practice supports the need for JDC to have adequate funding for appropriate staffing of minimally a 1:8 ratio during waking hours. Moreover, the JDC staff should see the value in their work and the investment by our community in addressing the challenges of our young people. Keep in mind that the majority of children in the JDC are being held prior to any adjudication and come with any number of life struggles – they deserve to be cared for as we would want to for any of our children.

For all these reasons, I urge the Cuyahoga County Council to consider the juvenile court's request for more funding and am available should we be able to assist with any further information.

Sincerely,



Gabriella Celeste, J.D.
Policy Director and Co-Director, Childhood Studies Program
Schubert Center for Child Studies, CWRU

cc: Hon. Kristin Sweeney
Terease Neff, Juvenile Court Administrator

³ See e.g. Clark, A. Juvenile Solitary Confinement as a Form of Child Abuse. *Journal of the American Academy of Psychiatry and the Law Online* September 2017, 45 (3) 350-357. Accessed at <http://jaapl.org/content/45/3/350>

⁴ PREA National Standards. Sec. 115.313 (c). Accessed at <https://www.law.cornell.edu/cfr/text/28/115.313>

⁵ See e.g. Annie E. Casey Foundation, *Juvenile Detention Facility Assessment Standards, Training and Supervision of Staff Standard B.2 and B.3.* (2014) Accessed at <http://www.cclp.org/wp-content/uploads/2016/06/JDAI-Detention-Facility-Assessment-Standards.pdf>. Some child advocates have called for even more strict ratios to ensure a safe and rehabilitative environment – see *The Prison Rape Elimination Act Standards, Comments from youth advocates on minimum staffing ratios in juvenile facilities.* Docket No. OAG-131. (Aug. 20, 2012) at <https://www.cclp.org/wp-content/uploads/2016/06/Comment-Staffing-Ratios-in-Secure-Juvenile-Facilities-Final.pdf>, citing the Institute for Judicial Administration and American Bar Association, *Juvenile Justice Standards*, Sec. 7.11(F)(1996) at <https://www.ncjrs.gov/pdffiles1/ojdp/166773.pdf>.