

The Problem

*The Department of Youth Services (DYS) has not been receiving sufficient funding to support its mission to rehabilitate youth and successfully transition them back to our communities. **Continued shortfalls in funding for FY2011 will cause a crisis at DHS, compromising the care of the children and youth it serves and the safety of the public.***

FY2010 and proposed FY2011 funding for DHS has dropped below what is needed just to maintain current programs:

- The original budget for the current fiscal year (FY2010) allocated \$152 million to DHS. This bare-bones budget has been slashed even further during the year by \$5 million of 9C and other cuts, so that DHS projects being able to spend only \$147 million during FY2010.
- The Governor's FY2011 budget (House 2) provides only \$143 million for DHS. This represents a nearly 12% decrease from the FY2009 appropriation.

In addition to the current programs, DHS, the Commonwealth's juvenile correction agency, must now oversee secure Alternative Lock-up Programs (ALPs) for youth arrested in our state's 351 cities and towns when courts are closed.

- Unlike the non-secure ALPs, which are funded and overseen by the Department of Children and Families, secure ALPs, which are required in order to meet a federal mandate and prevent harm to children, have been funded through the Executive Office of Public Safety and Security (EOPSS) with a patchwork of federal discretionary funds. This federal funding continues to be reduced each year, threatening the sustainability of the ALP network and moving the Commonwealth toward non-compliance on this basic condition of confinement issue.
- In order to protect the public, safeguard the rights of youth, and comply with the federal mandate, DHS must be allocated \$3 million to oversee 5 regional secure ALPs.

The Impact

The safety of the public will be at risk:

- DHS has closed over 300 residential beds in the last two years. This large reduction in beds has made it difficult to separate older youth from younger children, violent from non-violent offenders, co-defendants and members of rival gangs. Furthermore, detained youth (who have not been adjudicated delinquent and may never be) and youth committed to DHS are being mixed in some programs, leading to less effective and less fair treatment of both groups.

- DYS will be forced to reduce and/or eliminate such essential services as GED classes and vocational training, both key components to reducing recidivism rates.
- Reduced bed capacity has decreased the range of programs available within each region, particularly for girls. For example, girls from central Massachusetts must be transported to Brockton or Springfield for detention. This increases transportation costs, interferes with the ability of families to participate in their children's treatment, and creates barriers to successful re-integration in the community.

The safety of the children and youth in DYS custody will be at risk:

- Mental health services will be jeopardized. We all learned from the past rash of suicides and suicide attempts of youth in DYS custody how essential these services are to keep these youth safe.
- DYS serves many of the same children as other agencies (e.g., DCF and DMH) but at a much lower rate (DYS direct care staff are paid much less than direct care staff in other agencies) and generally under much more challenging circumstances (e.g., DYS works with foster children who are now being charged with a crime). DYS cannot recruit and retain a qualified direct care workforce to work safely and effectively with the youth in its care.
- DYS is the placement of last resort for many of the highest need youth. As the economy declines, the stress on children and families will only increase while funding for prevention and intervention services will continue to decrease. We are already seeing increases in child abuse reports in Massachusetts, a precursor to delinquency. Although there has been a decrease in the overall DYS population in recent years, DYS needs the resources to be able to meet the challenges presented by the highest need youth.

The proposed budget is penny-wise and pound-foolish: the ultimate cost to the taxpayers will greatly exceed any short-term savings provided through program cuts:

- The failure to rehabilitate these youth not only causes personal harm to the future victims, but also imposes a hefty cost on the taxpayers. It is estimated that each youth who grows up to be a career criminal will cost the taxpayer well over a million dollars (through the cost of time in adult prison, lost taxes and lost wages, healthcare for uninsured, etc.).
- This year, DYS rolled out new re-entry services based on best practices, yet there has not been adequate funding to support the enrollment of the youth in community-based programs. Non-profit organizations, also facing limited resources in this economy, are unable to absorb the numbers of DYS youth that are entering their programs without state funding.
- Beginning in 2003, the legislature provided DYS with specific funding to hire licensed mental health clinicians and certified teachers to improve the quality of educational services and to implement gender-specific services. These targeted investments helped achieve a dramatic reduction in recidivism rates (now at 33% for males and 6% for females). Budget cuts will end these targeted investments and will drive up recidivism rates.

The Solution

At a minimum, DYS must be allocated \$150 million to properly sustain residential and community programs and to oversee secure ALPs.