

# YOUTH TREATMENT/DETENTION FACILITY

## FREQUENTLY ASKED QUESTIONS

### **1. What is a Delinquency Case?**

Family Court has jurisdiction over youth who reside in their county that have been adjudicated to be delinquent. This occurs after a Delinquency Petition (DL) is filed by the Prosecutor. An adjudication occurs if the youth pleads guilty or is found guilty after a trial. The Court conducts a Disposition Hearing where an appropriate sanction is imposed and/or services ordered to allow the youth and family to resolve the behavior that led to the initial petition. An adjudicated delinquent is a “court-involved” youth.

### **2. What are the range of Dispositions?**

The range of dispositions are covered by statute; however, each judge may have their own philosophy regarding in-home services versus detention or a combination of the two. In-home services could be supervision by probation officer, counseling, psychological or medical evaluation, substance abuse assessment, treatment, and the like.

### **3. When is there a need for Detention?**

When youth are acting in an unsafe manner to themselves or the community, there is often no safe place for them to stay pending Court hearings or while awaiting a bed in a residential treatment facility. Police officers routinely take youth who are being physically aggressive to the hospital for an evaluation to determine whether they qualify for a mental health placement. Local hospital emergency rooms have become the de-facto detention facility. However, youth are frequently discharged back to the parent/guardian, who is sometimes the alleged victim of the violence. This has occurred in Leelanau County. Other times, if youth do require a mental health placement, they may languish in the ER for days, weeks, and even months awaiting a proper placement in a psychiatric facility. This also has occurred in Leelanau County.

### **4. When is there a need for Residential Treatment?**

Although expansive, in-home services and probation supervision are sometimes ineffective or insufficient to address more serious behaviors and mental health concerns. In order to allow these youth, the best opportunity for success and for a safe return to our community or their family, a residential therapeutic milieu that allows for an in-depth assessment, structures daily routine, creates a positive environment and offers daily individual and group counseling is required. Detention and residential treatment are secure facilities. Best practice is to allow parents to visit and require that they participate in counseling. Youth attend school each day, Monday through Friday. School is on-site and provided by the local ISD. There are opportunities for daily physical exercise and recreation, both indoors and outdoors. (Youth would NOT be attending Creekside School in Traverse City.)

**5. If there a need for a Detention and Residential Treatment Facility to serve Northern Michigan youth?**

It has been admitted by the state and experienced by Family Courts that there is a statewide shortage of beds for court-involved youth. Our youth are deserving of a treatment and short-term detention facility within close proximity to their communities so that they may see their parents and their parents engage in counseling with the youth. The closest facilities are in Ottawa County and Midland County and they reserve their beds for their own youth. The two state facilities currently have waiting lists hovering at 40. Courts have had to seek beds out of state at per diem costs between \$500 and \$1000 a day.

**6. Which counties are involved in this project?**

This is **not** a Leelanau lead project, but a collaborative effort between the Grand Traverse and Leelanau Family Courts, with input from the Grand Traverse Band of Ottawa and Chippewa Indians. Beginning during Covid and continuing last and this year, Leelanau County has not able to find sufficient beds for youth. In the late summer of 2022, Grand Traverse County approached us as they were experiencing the same problems. The Grand Traverse Band of Ottawa and Chippewa Indians are in the same situation. After many meetings, and looking at many options, Grand Traverse and Leelanau County Family Courts and the GTB concurred on the need for a local facility. In February of 2023, judges, county administrators and court administrators began actively soliciting funds from the State of Michigan. (Antrim County, also in the 13<sup>th</sup> Circuit Court may choose to be more involved in the future, but as of now, they have opted not to actively participate in the planning phase and solicitation of funding.) Grand Traverse County is the logical location for this facility as it is by far the most populous county, has more behavior health professionals and workforce and the most youth in the Upper Lower Peninsula.

**7. Who is supporting these efforts?**

Senator John Damoose, Representatives Betsy Coffia, John Roth and Curt VanderWall are seeking state appropriations in the range of \$30,000,000. **Organizational support include** Michigan Association of Counties; Michigan Association of Family Court Administrators; Northern Michigan Juvenile Officers Association; Michigan Sheriffs' Association; Michigan Association of Chiefs of Police; Benzie, Mason, Kalkaska, Leelanau County Sheriff Offices; Michigan Probate Judges' Association; League of Women Voters of Michigan; Grand Traverse Community Collaborative; Leelanau County Family Coordinating Council; Northwest Education Services (formerly TBAISD); Traverse Area Public Schools; Children's Advocacy Center of Traverse City; Child and Family Services of NW Michigan; League of Women Voters, Leelanau County; Northern Michigan Association on Mental Illness; and Munson Health Care.

**8. What will be the cost to the county?**

**\$0 for the construction** of the facility and the purchase of any necessary land. These costs will be entirely paid for by appropriated funds from the State of Michigan. Grand Traverse and Leelanau

County will pay for the **operational costs**. Grand Traverse and Leelanau, then based on their youth populations (13-17 year-olds), Grand Traverse would be responsible for 83% of the operational budget and Leelanau would be responsible for the remaining 17%. (If, however, Antrim County were to be involved, the percentages would change to Grand Traverse-69%, Antrim-17%, and Leelanau-14%, again based on their youth populations.) **50% of the operational costs will be reimbursed by the State** from the Child Care Fund. **Other counties needed beds would pay a per diem rate to offset operational costs.** As a court-operated facility, staff would be employed by the county or counties. Local control would be exercised in all manner of program design, education, therapies, daily structure, rules, and procedures for both youth and staff.

**9. Is there an actual need for this type of facility?**

There has been a preliminary professional survey completed of several Northern Michigan counties who would have access to the facility if it were built. The results of this survey were overwhelmingly showing a need for 32-40 detention beds and another 32-40 treatment beds. The plan is not to build a facility big enough for that many youth, as that would be very difficult to adequately staff. The current plan is to build a 32-40 bed facility that could house youth for both short-term detention and longer-term treatment. It is wise to invest the requested \$3,866 of county funds for a more thorough professional assessment of the number of beds, size of the facility, etc. As currently proposed, Leelanau County contribution is contingent upon the Board of Commissioners in Grand Traverse County approving their share of the costs. Their County Administrator, Family Court Judge and Court Administrator will make this request at their May Grand Traverse County BOC meeting.

**10. Can Grand Traverse and Leelanau Counties' Family Courts fill this number of beds?**

No. On average, the two counties would fill 10-15 of the beds. So, why not just build a facility for 15? The facility is not financially feasible unless the remaining beds are provided to other Courts in need of these services. These Courts would be charged a per diem, which would assist in the operational costs of the facility. Many of the 36 counties within 90 minutes of Traverse City have expressed a desire to utilize the facility and several would like to pay for reserving beds for potential use.

**11. Will Grand Traverse and Leelanau Counties still have to pay for the youth they place in this facility?**

No. Because the Grand Traverse and Leelanau Family Courts would be operating the facility, no charge for placements will be incurred, saving both counties thousands of dollars annually. The \$500-\$1000 per diem rates for out of state facilities would be eliminated.

**12. How much income could the facility create by renting beds to other counties?**

It is somewhat dependent on how many beds are not being utilized by the operating counties. If the average number of beds being available for other counties to use was 20, which is a good estimate, the facility could bring in about \$5,000 per day, or about \$150,000 per month. This would go a long way to offset the operational costs.

**13. Does it make sense for a small county like Leelanau to be involved with this project?**

Yes. Leelanau County, while small in youth population, is not immune to the problems young people face like delinquency, substance abuse, and mental health concerns. Just one youth being placed out of the county or state for detention or treatment for a year costs the county between \$90,000 - \$275,000 per year. Unfortunately, the times we live in have become quite trying for Northern Michigan youth. There are no other facilities for them north of Midland and placing youth far downstate or even out-of-state keeps the family from being able to actively engage in the needed family treatment, prolonging the reunification effort.

**14. What are the downsides to this proposal?**

If built, there will be operational costs, but 83% would be covered by Grand Traverse County. There will be liability, but would be covered similar to that of the Leelanau County Jail and other county offices and departments. There will always be naysayers who can find some reason not to do something like this, even when all their questions are answered. There may be those who are philosophically opposed to out of home placements. If there are other questions or concerns, please contact the Family Court for the most accurate information. For example, when the County was examining problems with the heating and cooling of the Government Center, it hired and listened to expert HVAC analysts and wisely did not rely on the opinion of constituents with no expertise in HVAC. Between Grand Traverse and Leelanau Counties' Family Courts, there is an abundance of expertise, energy, and will to create a state-of-the-art facility that could be a beacon of hope for lost youth and a shining example to other facilities across the state to follow.

**15. Why not wait for the State to solve this Crisis?**

The shortage of beds is not a new issue. It has been on the radar of Family Courts, Family Court Administrators, and Law Enforcement for YEARS. The State has been slow to respond. A Juvenile Justice Task Force met for nearly two years and to no one's surprise concluded that there is a crisis. However, the follow up state working group on this problem has languished since July of 2022. The committee has yet to be formed. Rather than expand the number of beds, the state closed some of its facilities and was unable to negotiate new contracts with private providers. The state has been slow in responding to the overcrowding issue in the Wayne County Detention Facility and has now begun to address that issue after the Free Press exposed the problem and Wayne County declared a medical state of emergency. The state is looking for a solution. We have met with the Michigan Department of Health and Human Services. MIDHHS is impressed with our initiative, planning and programming. We can be part of the solution rather than continue to be a part of the seemingly endless hand wringing of what to do. Our well-vetted solution is for the construction of a 32-40 bed court-operated local facility that maintains local control where we know the youth, their families, our Northern Michigan culture and the resources in our community.

**For more information, to have your questions answered, to discuss your concerns, and/or to address the financial impact on the county, contact the FAMILY COURT for the most accurate information. 231-256-9803.**