

Implementing Juvenile Justice Reform: Shortcomings and the Role of Advocacy



Jason Smith

Executive Director
Michigan Center for
Youth Justice

From Reform to Reality

In 2023, Michigan has passed one of the most comprehensive juvenile justice reform packages in the country – the Justice for Kids and Communities legislative package.

Reforms	Issues
Requires use of a validated Detention Screening Tool statewide	Detention tool not used consistently
Diversion reforms codified (Risk, MH must be used, time limits for diversion, restitution can no prohibit diversion)	Diversion use varies by county
Child Care Fund updated to support community-based care (75% reimbursement, pre-arrest diversion, respite shelter)	More support needed to encourage local innovation in expanding

What's Still Missing

- Juvenile Defense Reform (HB 4070)
- Lack of robust statewide juvenile justice data
- Remaining taskforce recommendations (e.g. minimum age of juvenile court jurisdiction, statewide study on the use of waiver)

Why Community-Based Services Matter

Better outcomes for youth	<ul style="list-style-type: none">• Lower recidivism• Stronger family ties
More cost effective	<ul style="list-style-type: none">• Less expensive than detention or residential placement
Continuity beyond the court	<ul style="list-style-type: none">• Support doesn't stop when the case closes
More equitable	<ul style="list-style-type: none">• Avoids deep system involvement, especially for low-risk youth
Reinforces support network	<ul style="list-style-type: none">• Supports family and school connection during treatment

Diversion

Why It Matters



Keeps youth out of the formal justice system

Offers early intervention for low-level offenses

Improves outcomes and reduces recidivism

Supports equity and avoids deeper system harm

What's Still Uneven



Diversion access varies significantly by county

Some offenses that are could be handled informally are not

Lack of clear referral pathways in some jurisdictions

Local Implementation in Action

Several counties have formed **cross-sector implementation teams**, bringing together courts, schools, mental health, community organizations.

Counties are exploring or **expanding their service** continuum to include:

- Status offender diversion
- Interventions for families experiencing domestic violence
- Gun violence prevention programs

Courts are **eliminating debt** caused by juvenile court fines and fees.

Washtenaw County-
Prevention/Diversion

- R.A.P.I.D Program
- Youth Resource Center

Statewide Implementation Supports

- Michigan Committee on Juvenile Justice- Diversion Grants
- SCAO- Status Offender Diversion Grants
- Juvenile Justice Reinvestment Initiative
- Statewide trainings (ex. Diversion, Evidence-Based Programming)

What We Hear From Youth and Families

1) We didn't know help was out there.

Many youth and families only learned about services **after court involvement**

They described pre-court support as confusing, invisible, or inaccessible

Several asked: "Why did it take getting in trouble to find help?"

2) Programs felt "one size fits all."

Youth want **real choices**, not checkboxes

Many said services **felt forced**, not personalized

Cultural identity, gender, and life experience often not reflected in programming

What We Hear From Youth and Families

3) Families felt left out and overwhelmed.

Parents described feeling **uninformed, rushed, or excluded**

Many didn't know how to help their child

They want **early outreach**, guidance, and compassionate support from courts and schools

4) We need more safe places and people.

Safe, welcoming places to go after school

Mentors with **lived experience**

Consistent support, not just during crisis

Where Challenges Remain

- CCF is open – but local barriers persist.
- Grant-funded programs may not be sustainable
- Referral pathways aren't always clear.
- Courts hesitant to fund services for youth not yet formally involved.
- Rural counties face unique capacity challenges, such as:
 - Insufficient vetted providers
 - Not enough youth to sustain program models
 - Not enough flexibility in staffing

Where Challenges Remain

Innovation often depends on local champions.

- Some counties have made major gains – but progress often hinges on individual leaders.
- When those leaders retire, move, or burn out, progress can stall.
- There's no statewide technical assistance infrastructure to help counties adapt or improve.

Youth Defense: A Right, Not a Resource

Youth Defense is **foundational**.

- Legal decisions have life-altering consequences.
- Youth are less equipped to navigate court alone.
- Without adequate counsel, youth are:
 - More likely to waive their rights.
 - More likely to make false admissions.
 - More likely to end up deeper in the system.

HB 4070 would:

- Create a statewide defense system for youth.
- Ensure qualified, trained juvenile defenders.
- Align Michigan with national best practice.

What You Can Do

- Contact your legislator to **support HB 4070** (Juvenile Defense Reform)
- Ask legislators to act on the remaining **Task Force recommendations**, like minimum age of jurisdiction
- Support **local oversight and Implementation**
- **Attend** public county meetings, and **ask** how your community is:
 - Using the detention screening tool
 - Diverting youth
 - Investing in community-based services
- **Elevate** questions about equity, transparency, and sustainability
- **Invite young people** and families to speak at public forums

Questions?

Thank You for Listening!

Jason Smith

jsmith@miyouthjustice.org

www.miyouthjustice.org

