



The Protection & Advocacy System for South Carolina

Select Committee on Raise the Age

Recommendations to Committee Members

Objectives

- Overview of P&A's work
- Alexander S.
- Progress and Current Challenges
- Recommendations



Overview

INTRODUCTION TO P&A'S WORK

P&A Across the County

- 57 P&As in all states and territories
- State designated
- Federally authorized and funded
- Purpose of P&As:

To protect and advocate for the legal, civil and human rights of individuals with disabilities



P&A Services

- Case Representation
 - Discrimination under federal or state disability laws
 - Denial of disability benefits
- Information and Referral
- Education and Outreach
- Systems Advocacy
- Monitoring and Investigations



History of Reform

ALEXANDER S., PROGRESS AND CHALLENGES

Alexander S. Background

- Class action lawsuit (1990)
- Judge Anderson's opinion (1995)
 - Minimum constitutional standards
 - Model juvenile justice system left to the state
 - Did not address mental health services outside of DJJ



Progress Since Alexander S.

- Progress since Alexander S.:
 - Reduced population behind fence (Broad River)
 - Regional Special Needs Coordinators
 - Interagency staffings to divert youth (SMI)
 - Subclass staffings to ensure appropriate placement of youth (SMI)
 - Behavioral Health staffings to ensure a discharge plan for youth returning to community (SMI)



Current Challenges

- Current Challenges:
 - Large institution creates unsafe conditions
 - Not enough community evaluations being done
 - Lack of inpatient psychiatric treatment options (SMI)
 - Lack of coordinated, community-based mental health services (SMI)



Recommendations

BUILD A MODEL JUVENILE JUSTICE SYSTEM IN SC

Recommendations

- Taxpayer dollars should be spent on Model State Reforms:
 - Decentralize facilities so that youth are placed in smaller facilities near their homes
 - Invest in proven mental health and other interventions
 - Prohibit children from being incarcerated for status offenses



Recommendations

- Specific Recommendations Includes:
 - Prohibit incarceration of status offenders, and contempt of court and probation violations for status offenses
 - Reserve commitment to youth who have committed felonies (Georgia model)
 - Require Judges to consider Community Evaluations (DJJ County Offices)
 - Address lack of placement for DJJ youth needing intensive treatment (PRTF)





PROTECTION & ADVOCACY
FOR PEOPLE WITH DISABILITIES, INC.

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