

Memorandum

DATE

To: Office of Juvenile Justice and Delinquency Prevention

From: Federal Advisory Committee on Juvenile Justice, Transitioning Youth Subcommittee

Re: Improving supports for youth as they transition out of secure juvenile facilities and/or juvenile supervision

Definition of Transitioning Youth: For the purposes of this memo, we are defining transitioning youth as youth aged 16-24 who are transitioning out of secure juvenile facilities or whose supervision by a state juvenile justice agency is ending. Although also in need of services, this memo does not address the needs of youth whose term of juvenile probation is ending, since those youth are often younger and/or they have not been removed from the community.¹

Note: This subcommittee's recommendations apply specifically to this particular population of youth. Other services/supports that apply to a broader group of youth involved in juvenile justice likely still apply – e.g., record sealing and expungement, reduction and elimination of court fees, etc. This committee is purposefully avoiding recommendations that dovetail with the work of other subcommittees.

Who are Transitioning Youth: Transitioning youth face particular challenges as they move out of a juvenile justice system that provided oversight and support and move into early adulthood where their support structure is likely to be much less robust. In secure placements, for example, daily routines are set for residents, basic needs are provided, and case management addresses educational, behavioral, and mental health needs. As youth transition back to the community, however, they must learn to manage their own schedule; find a way to obtain food, clothing, and shelter; and generally manage their own educational and mental health needs often with limited familial support. For those who do have robust family support, they typically need to recalibrate their relationships according to the changes and maturation they underwent while locked up. And families that are often getting by on very limited resources now feel the pressure to provide for one more. If communities and public agencies support youth and their families through this process, our young people have the ability to thrive as adults. If we fail, however, transitioning youth are likely to fall back on criminal methods to meet their needs, denying them a bright future and jeopardizing the safety of our communities.

As we work to address the needs of transitioning youth, we must not forget to also address the various risk factors that propelled many of them into the juvenile justice system in the first place. For example, research shows that a large percentage of delinquent youth have also been victims of violence, including chronic exposure to violence, which results in “lower levels of social

¹ See also <http://youth.gov/youth-topics/transition-age-youth> for additional thoughts on this definition.

support and greater rates of mental health symptoms.”² A study from Cook County, Illinois, showed that 92.5% of youth in detention had experienced at least one trauma, 84% had experienced more than one trauma, and more than 56% had been exposed to trauma six or more times.³ Many youth in our juvenile justice system also struggle with learning disabilities and/or have fallen behind in school.⁴ Unfortunately, rather than helping to address those needs, our juvenile justice system exacerbates them and makes children even less likely to excel academically. For example, young people incarcerated as juveniles are 13-39% less likely to graduate from high school and are 23-41% more likely to be incarcerated as an adult, as compared to the average public school student in the same area.⁵

RECOMMENDATIONS

Overview: Supports and services for youth transitioning out of juvenile facilities and/or juvenile supervision should be similar to the supports and services that many jurisdictions provide to youth transitioning out of the child welfare system. Reentry services for older youth should also incorporate and build upon best practices being implemented for adult ex-offenders.⁶

Rationale: Studies have shown as many as two-thirds of youth involved in the juvenile justice system have experienced contact with the child welfare system.⁷ Many jurisdictions, however, have formal or informal policies of closing a young person’s abuse or neglect case when he or she enters the juvenile justice system.⁸ As illustrated by the high rate of youth who touch both systems, the needs of youth in the child welfare system are quite similar to those in the juvenile justice system. Further, youth who have been abused or neglected, like youth who have experienced any form of trauma, need robust support to achieve educational and employment successes and other life milestones. Unfortunately, many delinquent youth do not receive the transitional supports that they would have received through child welfare system.

² Cuevas, C.A., Finkelhor, D., Shattuck, A., Turner, H., and Hamby, S., “Children’s Exposure to Violence and the Intersection Between Delinquency and Victimization,” *Juvenile Justice Bulletin*, Office of Juvenile Justice and Delinquency Prevention (October 2013). Retrieved from <http://www.ojjdp.gov/pubs/240555.pdf>

³ Abram, K., Teplin, L., King, D., Longworth, S., Emanuel, K., Romero, E., McClelland, G., Dulcan, M., Washburn, J., Welty, L., and Olson, N., “PTSD, Trauma, and Comorbid Psychiatric Disorders in Detained Youth,” *Juvenile Justice Bulletin*, Office of Juvenile Justice and Delinquency Prevention (June 2013). Retrieved from <http://www.ojjdp.gov/pubs/239603.pdf>

⁴ “Nearly half of all students who enter residential juvenile justice facilities have an academic achievement level that is below the grade equivalent for their age. Retrieved from <http://youth.gov/youth-topics/juvenile-justice/youth-involved-juvenile-justice-system>

⁵ Aizer, A., J. Doyle, “Juvenile Incarceration, Human Capital and Future Crime: Evidence from Randomly-Assigned Judges,” *National Bureau of Economics Research Working Paper No. 19102*, 2013.

⁶ See, for example, *The Federal Interagency Reentry Council: A Record of Progress and Roadmap for the Future*, available at <https://csgjusticecenter.org/wp-content/uploads/2016/08/FIRC-Reentry-Report.pdf> for recommendations and examples of promising practices and supports to ensure successful reentry for both adult and juvenile ex-offenders.

⁷ Page 1, Halemba and Siegel, 2011 available at http://www.ncjj.org/pdf/JJGPS%20StateScan/JJGPS_U.S._Dual_Status_Youth_Data_Integration_2016_10.pdf

⁸ There may be reasonable justifications for such processes. For example, it might reduce confusion between multiple agencies attempting to provide case management or it might assume that services and supports are more robust in the juvenile justice system than the child welfare system.

Rationale: In the adult criminal justice context, there is increasing focus on ensuring that ex-offenders have the skills necessary to successfully reenter the community after a period of incarceration so that they can avoid future criminal behavior. Transitioning youth similarly need these same life skills, particularly because they are transitioning into adulthood at the very same time that they are transitioning back to the community.

Recommendation #1: States should ensure that each transitioning youth has 1) a comprehensive transition plan before his/her supervision ends and 2) access to an advocate or transition specialist after the young person's supervision ends who can assure that the transitional supports and benefits outlined in the plan are delivered.⁹ To the extent feasible and if desired by the youth, the transition planning process and the plan itself should incorporate supportive family and community members.

Recommendation #2: Supports and benefits for transitioning youth should mirror those provided to youth transitioning out of the child welfare system, as well as those suggested for adult ex-offenders.¹⁰ These supports and benefits should also address the expressed desire of the individual young person to meet their unique goals. Supports and benefits offered should include:

- State-issued identification card, driver's permit, or driver's license preferably before release from secure placement¹¹
- Provision of birth certificate, social security card, and other vital records
- Enrollment in health insurance
- Enrollment in public benefits such as TANF, WIC, SNAP, SSI, Housing Choice Voucher program, etc.
- Information and support on how to seal or expunge records of delinquency
- Information and support to ensure compliance with all legal requirements such as sex offender or gun offender registration.¹²
- Meaningful connection to mental health service providers to address any individual or family needs
- Living/housing allowance¹³
- Clothing stipend/voucher
- Cell phone service

⁹ Examples of such advocates include a court-appointed public defender, court-appointed special advocate (CASA), juvenile justice agency case worker, or peer advocate. In the alternative, agencies could assign oversight to an ombudsman's office or office of quality assurance, etc.

¹⁰ See FN 6

¹¹ See for example, the Memorandum of Understanding between the Georgia Department of Juvenile Justice (DJJ) and the Georgia Department of Driver Services, which provides for all youth under DJJ care receive a personal identification card, driver's permit, or driver's license at no cost to the youth and before release from secure placement. On file with the Chair of this subcommittee.

¹² This statement should not be construed in any way to support such registrations.

¹³ For example, in New Jersey, the Division of Child Protection and Permanency offers and independent living stipend to youth aged 16 to 21 when no family members are appropriate or available, and if neither adoption or kinship guardianship are suitable. The stipend consists of \$40 per week for food and \$45 per week for rent. <http://www.nj.gov/dcf/adolescent/YOUTHRESOURCEGUIDE2013.pdf>. See also, Nebraska's Bridge to Independence Act, which provides youth transitioning out of foster care with a stipend of approximately \$760 per month. http://dhhs.ne.gov/children_family_services/BridgeToIndependence/Pages/About.aspx

- Assistance with saving for critical assets, such as a car¹⁴
- Car mechanic services/reimbursement

Recommendation #3: Special attention and sufficient financial resources should be allocated to the educational and vocational needs of transitioning youth to strongly encourage ongoing education, vocational training, and workforce development, including:

- Provision of an updated Individualized Education Program (IEP) prior to discharge from secure placement
- For youth under 18, re-enrollment in high school, GED, or vocational program in accordance with the youth’s Individualized Education Plan, if applicable
- IDEA transition services – supports from high school to work force
- Assistance with applications to colleges and trade schools, as well as financial aid applications¹⁵
- Tuition assistance for higher education, including college and vocational training programs¹⁶

Recommendation #4: The juvenile justice agency should offer each transitioning youth opportunities to learn life skills, either through programs it directly operates or through community-based service providers.¹⁷ Life skills trainings should cover topics such as the following:

- Maintaining healthy relationships
- Parenting
- Work and study habits
- Using public transportation
- Driver’s education
- Cooking, cleaning, and grocery shopping
- Banking, budgeting, paying bills, building credit, and responsible borrowing¹⁸
- Computers, the Internet, and social media
- Calendaring and time management

Recommendation #5: Governmental agencies that come into contact with youth involved in the juvenile justice system should collaborate in an effort to curb recidivism, ease reentry, prevent duplications of services, and mend budgets. Justice-involved youth and their families often interact with many governmental agencies increasing the risk of duplicating services, increasing local and state costs, and hampering the effectiveness of governmental services. To be most

¹⁴ See, for example, Nebraska’s Opportunity Passport, which helps youth who have been or are currently in foster care purchase assets that are critical to their success. Opportunity Passport matches 4:1 any money youth save for a car and 2:1 for any other savings. http://www.projecteverlast.org/omaha/opportunity_passport.html

¹⁵ See for example, Youth in Care (New York) and California College Pathways. Both are programs that provide children in foster care assistance with applying for the FAFSA, enrolling in work study programs, and explaining independent student status (respectively at <https://www.youthincare.org/> and <http://www.cacollegepathways.org/>).

¹⁶ For example, in Washington, DC, the Department of Youth Rehabilitation Services offers tuition support of up to \$3,000 per semester, as well as an incentive stipend of \$1,250 to cover additional education-related needs.

¹⁷ See FN 6

¹⁸ See, for example, the Consumer Financial Protection Bureau’s *Your Money, Your Goals* toolkit available at <https://www.consumerfinance.gov/your-money-your-goals/>

effective, agencies should follow best practices that encourage collaboration in and across multiple layers including the policy level, the program level, and the direct service level. The most successful integrated systems build better local networks, agree on better ways to work together to support shared clients, establish formal and informal partnerships and protocols, create opportunities for shared training, and recognize the function of strengthening relationships.¹⁹

Recommendation #6: The state or city juvenile justice agency that takes the lead in implementing transition planning for youth should also ensure that they create and utilize data collection and analysis tools to ensure ongoing improvement of transition planning and services. In this regard, we suggest that agencies follow the guidance of Performance-Based Standards' Juvenile Justice Reentry Measurement Standards project, which is supported by the Office of Juvenile Justice and Delinquency Prevention.²⁰

INTERNAL DRAFT NOTE: All footnotes need to be reviewed according to citation rules.

¹⁹ See, for example, Peter Leone & Lois Weinberg, *Addressing the Unmet Educational Needs of Children and Youth in the Juvenile Justice and Child Welfare System*, Center for Juvenile Justice reform (2010).

²⁰ <http://pbstandards.org/programs/reentry-measurement-standards>