

2021 CCJBH Legislative Report

Policy Recommendations

Juvenile Justice Policy Recommendations

Prevention Recommendations

1. Academic supports should include tutoring, truancy intervention, social and psychological services, and family supports.
2. Family intervention should include family counseling, and parental assistance.
3. Mentors, prosocial community programs and activities should be used to support prosocial leisure time.
4. System stakeholders in collaboration with the community, should utilize research-supported practices to divert youth away from the juvenile justice system when those youth engage in behaviors that might make them subject to a law enforcement contact. The youth should be referred to and engaged with community-based programs to address areas of risk such as family dysfunction, substance use, school problems, etc. For example, a case in which a student who performed well at school and, thus, did not come to the attention of educators, but was hospitalized and placed in a residential setting for being suicidal and aggressive towards the parents, who called law enforcement for assistance – this youth could have been instead diverted from the juvenile justice system.

Intervention Recommendations

5. The California Health and Human Services Agency (CalHHS) [AB 2083 Systems of Care Memorandum of Understanding](#) guidance, designed to address coordination for local foster care child/youth-serving agencies, could be adapted to the justice-involved youth population-serving agencies, including courts (and Judicial Council), to clearly establish how coordination will occur within each county. In addition, a standing meeting or other convening platform at the local level can help to further facilitate communication and collaboration.
6. According to the CSG Justice Center, [Collaborative Comprehensive Case Plans](#) are developed when “the agencies involved in the participant’s case planning team and in the recovery processes work together with the participant (and the people in his or her support system) throughout the case planning process, and when the case plan includes information from behavioral health, criminogenic risk, and psychosocial assessments in a way that does not value results from one assessment over another.” Collaborative Comprehensive Case Plans, along with a secure electronic information exchange system/process, should be implemented to reduce duplication and increase coordination through ongoing and structured partnerships across relevant agencies and their providers. Transitional housing needs should be addressed for transition aged youth, with caseworkers deployed to help youth navigate available resources.

7. The following models, which have been used with success in California and around the country, should be considered for expanded use with justice-involved youth:
- The Positive Youth Justice model (PYJ). PYJ is a restorative justice model that captures the therapeutic philosophy of the juvenile court, along with the concept of accountability. The PYJ approach includes utilizing the youths strengths while at the same time addressing deficits (criminogenic risk factors) while working towards behavior change towards a goal of prosocial community involvement. PYJ involves a community and justice system collaboration.
 - Juvenile Wraparound. Juvenile Wraparound involves a multidisciplinary approach that focuses on the entire family and not just the youth. It originated in the child welfare system with a primary objective of addressing family issues so that dependent youth could remain in, or more quickly return to their homes. It was then applied to justice-involved youth and found to be effective. Numerous studies show recidivism reductions and reduced risk factors for justice-involved youth who are provided with Wraparound. Wraparound teams typically include, a counselor, a therapist (as necessary), a probation officer, a school representative, a parent partner, and a youth partner.
 - Crossover Youth Practice Model (CYPM). CYPM is one application of a fairly common theme employed around the country that combines the juvenile justice and child welfare systems. The process starts when the youth who may be a dependent at the time, or has a child welfare history, commits a criminal act. During the referral process, a collaborative assessment is made involving both child welfare and the juvenile justice system. The assessment produces a recommendation for the court as to which system can best serve the youth (and community) needs. The strength of this model is that it combines the resources and expertise of both systems to meet the youth's needs. It may also involve the practice of "dual status" where a youth can be in both the juvenile justice and child welfare systems simultaneously.
8. Probation practices that employ research-supported principles for working with justice-involved youth, such as enhancing internal motivation, using positive reinforcement, teaching new skills, etc., should continue and become the standard for probation departments in the State. Those practices should include close collaboration with community agencies that serve these youth. A "balanced approach" philosophy of probation services is behaviorally focused with a goal of behavior change for youth. The model requires engagement between the probation officer and the youth from a therapeutic perspective. Probation officers must be trained in this area to a level of competency.

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9. Case management and risk and needs assessments should be informed by peers with lived experience.
10. Youth across the State should have equal access to services so that no youth are disadvantaged by a lack of availability of a particular needed service in their county that may be available in another county.
11. County systems should work collaboratively to share resources and information, and mitigate the notion that county borders stand in the way of a youth getting necessary services.

12. Local probation agencies should leverage the California Department of Corrections and Rehabilitation (CDCR) Title 15 and Title 24 Regulations that guide the conditions of confinement and move towards treatment rather than an overly punitive approach to support the realigned youth.
13. The scope of educational services should be expanded at the county level to offer college or post-high school workforce development to match the services that have been traditionally offered by DJJ. The [Department of Rehabilitation](#) could be a resource that may be able to offer career opportunity resources for youth who have with mental health needs.

Mitigating the Impact of COVID-19 on Justice-Involved Youth Returning to School

14. It is critical in education that administrators and teachers recognize the difference between behavioral health (e.g., anxiety), versus behavioral needs, and not respond punitively, but rather have a behavioral health-informed response. Educators should be cautious not to mistake a behavioral health outburst, which could result in law enforcement becoming involved and the youth being placed into custody rather than treatment. Staff should be trained on increased compassion and what to expect when students act out due to behavioral health and be able to identify the available support services offered by the district and other community-based entities that may assist the student.
15. There should be a criteria established beyond a behavioral health diagnosis that educators may use to mobilize appropriate services and supports to address youth who may have behavioral health needs that do not necessarily equate to a formal behavioral health diagnosis. Services should be preventative, and educators should be trained to recognize these needs (e.g., self-harm, anxiety, depression, substance abuse, self-medication, suicidal ideation, decreased ability to self-regulate) and be able to help identified youth access the appropriate resources to address those needs.

General School-based Supports for Justice-Involved Youth

16. School districts should increase their bandwidth to provide support and set [Intentional Support Plans](#) that include an advocate for students who are justice-involved. These plans should support student in their academics and behavioral health, linking them with a community advocate who can interface with the school, justice system, and other relevant systems (i.e., be a caring adult, which is extremely important), and providing appropriate services and supports to their family while being careful not to overwhelm parents at one time with all of the available resources.
17. Disproportionality should be addressed by creating transition/reentry plans for students leaving juvenile hall to ensure communication between the court system, county Office of Education, probation, and a liaison for each school district. For example, a youth should not be in juvenile hall for 21 days, get released, and then return to their school with “business as usual” expected. Consider the utilization of interagency Memorandums of Understanding (MOUs).
18. All system partners should take time to hear youth voices, asking them what they need, and incorporating their input into policies and practices to drive meaningful changes.
19. Substance Use Disorder (SUD) treatment resources should be provided to students in need in convenient settings rather than place them in a position to have to travel to get treatment, and avoid exposing them to drug court altogether, which requires a disruption to their lives, including absence from school. Multi-dimensional family should be considered.
20. Educators serving justice-involved youth should be encouraged and supported to perform a home visit to meet their students’ families in order to assess and determine how best to provide the

appropriate resources and level of support. This should occur beginning at the elementary level to build consistent connections, and to understand different customs and norms.

21. Education staff, particularly school psychologists, should focus on the parent and student interviews, observations, and reviewing the student's record for trends rather than focus solely on assessment scores. For example, a case in which a teacher reported that a student was not engaged/daydreaming, but when the student was interviewed, multiple traumas were revealed that equated to a lack of trust in adults. Students should be evaluated from both a quantitative and qualitative perspective, and trauma should also be assessed.
22. Educational staffing patterns should be re-envisioned within existing frameworks such as a multi-tier system of support (MTSS). New funding should not be spent on a one-time basis as it is allocated. Rather, it should be used as an opportunity to continuously build sustainable systems based on best practices related to justice-involved youth, including training, system building, youth input, and data collection.
23. To inform quality improvement, data can be examined for justice-involved youth, going back to their early childhood to identify system gaps. Target youth in 5th and 6th grades for high-quality early intervention since this is when youth begin entering the juvenile justice system.
24. The California Department of Education (CDE) should promote a shift towards social emotional learning and share resources with the county Offices of Education.
25. System partners should strive to establish uniformity/consistency across counties, focusing on best practices in educational systems across counties, so that counties know what resources are available.
26. Counties should support the CDE in their efforts to learn how best to work with counties in order to integrate education into county systems.
27. Accountability measures should be established and used to monitor the use and outcomes of available resources. For individuals over the age of 18, adult education should be integrated, approaching learning as a continuum.
28. System partners should engage in and support CDE's Disproportionality Workgroup, particularly the Task Force CDE plans to implement to focus on the justice-involved population.