OYCR | Office of Youth and Community Restoration

UCLA Luskin Social Welfare

Stepping Home Elements – Less Restrictive Programs: Considerations and Possibilities

PURPOSE AND OVERVIEW OF DOCUMENT

The purpose of this document is to provide principles and components to be considered when creating **"less restrictive programs**" across California counties. Informed by extensive literature review and existing evidence-informed practices, this document is meant to serve as a starting point for

conversation as counties, partnering agencies, and other stakeholders leverage existing resources to build less restrictive programs in their jurisdictions. The topics covered in this document include:

- Principles for Less Restrictive Programs,
- Rationale for a Continuum of Care,
- Context: The Stepping Home Model and Standards of Excellence,
- Key Components of Less Restrictive Programs,
- Examples of Potential Restrictive Programs.

PRINCIPLES FOR LESS RESTRICTIVE PROGRAMS

Based on ongoing dialogue between OYCR and other thought partners, a program may be considered a less restrictive program (LRP) as long as it provides youth with gradual exposure to less restrictive programming (i.e., more access to the community) until they are ultimately placed at home, where restrictions are removed as their commitment is completed. Grounded in the Office of Youth and Community Restoration's (OYCR) Stepping Home Model and the considerations discussed in this paper, we offer the principles for implementing less restrictive programs. Each principle is summarized and elaborated on later in this document under "Key Components of Less Restrictive Programs."

Principles for, and Defining Features of, LRPs:

- Adheres to the key elements and framework outlined in the Stepping Home Model to provide healing, developmentally appropriate, and trauma-informed care and services that are relevant to youth and their families.
- Uses the critical benchmarks provided in the Standards of Excellence to ensure that the Stepping Home Model is adhered to across less restrictive programs.
- Utilizes *Individualized Rehabilitation Plans* (IRPs) that are developed in collaboration with youth and their families, as well as others, to inform both care decisions as well as placements in the continuum, and regularly reassess IRPs as youth make progress towards their goals.
- Fosters safety, security, and a culture of dignity and respect in less restrictive programs by a) ensuring facility conditions are safe, trauma-informed, and non-punitive; b) meeting basic needs of youth (e.g., sleep, hygiene, social interaction, access to health care and other supports); and c) promoting a shared understanding of a restorative system of accountability that makes amends with victims and communities while humanizing youth and their families.
- Promotes accountability for youth and the less restrictive program by fostering a shared understanding of infractions and unacceptable behavior among youth, families, oversight agencies, and other relevant parties.
- Provides "robust" supports for youth that include basic services like health care, behavioral health care, housing, education, and job training, as well as positivity, celebration, holistic treatments, mentorship and relationship-building with mentors, advocates, and other supportive individuals like credible messengers.
- Prioritizes "home" as a less restrictive program, bearing in mind that “home” may look different for each youth, including utilizing settings such as colleges and universities and conservation (fire) camps for less restrictive programs.

RATIONALE FOR A CONTINUUM OF CARE

Research has shown that incarceration has negative effects on youth, with subsequent worse mental health and other poor health outcomes persisting into adulthood (Barnert et al., 2017). Adolescent developmental science demonstrates the developmentally normal brain immaturity of youth under the age of 25 (Steinberg, 2009; Arain et al., 2013), which contributes to young people's impulsive and risky behavior that can lead youth to becoming incarcerated (Monahan et al., 2009). Additionally, most youth who have been involved in the juvenile legal system have experienced prior psychological trauma, which heightens their risk of delinquent behavior and can decrease their likelihood of success after incarceration if not adequately addressed (Baglivio et al., 2014; Crosby, 2016). Incarceration is often a traumatic experience in and of itself (Wyrick & Atkinson, 2021), and locked facilities are generally not therapeutic environments conducive to healing and rehabilitation, but rather hinder the maturation process of youth who are incarcerated (Schaefer & Erickson, 2019). This can further harm youth and entrench them deeper into the system as they face high rates of rearrest and new convictions, and resultantly, worse health and lower chances of success in society (Steinberg et al., 2015).

Alternatives to incarceration that allow youth to receive rehabilitative treatment and programming centered on healing and accountability in their communities and homes rather than in locked facilities have been proven to achieve similar or even better outcomes for youth (Mendel, 2022). As a result, less restrictive programs were created and are being developed for youth in California to gradually reintegrate into their communities and homes from Secure Youth Treatment Facilities, or SYTFs. The majority of SYTFs are within juvenile halls, which, as mentioned previously, are not environments conducive to healing and rehabilitation. Based on adolescent developmental science and the growing body of research demonstrating the harmful effects of incarceration on young people and their families and communities, it is essential that youth spend as little time as possible in SYTFs, in accordance with community safety and the youth's Individualized Rehabilitative Plans.

The journey from the most restrictive setting, SYTFs, to the least restrictive setting, home, is a process and a continuum of care. As youth move through the continuum and grow in their rehabilitative journeys of healing and accountability for their actions, less restrictive programs, or LRPs, are critical to ensuring that they spend the least time possible in SYTFs to increase their likelihood of success and ensure family and community preservation. LRPs are therefore an integral part of OYCR's continuum of care, known as the Stepping Home Model.

CONTEXT: THE STEPPING HOME MODEL AND STANDARDS OF EXCELLENCE

After the closure of California's Division of Juvenile Justice, OYCR and thought partners created the Stepping Home Model to provide a framework based on the aforementioned adolescent developmental science for counties to reference through this transformation of California's juvenile legal system. The Stepping Home Model promotes healing and accountability for youth and is intended to guide counties and partnering entities as they ensure the safe and successful transition of youth from SYTFs through the continuum of placements to home. The model details a process for all youth that begins from their confinement in an SYTF and ends with their safe and successful return to their communities through the usage of LRPs. The Model also promotes key elements that center healing and accountability for youth and the participation of youth and their family in the formation of the youth's treatment and programming. Elements of the Stepping Home Model include, but are not limited to, safe and secure facilities; professional neuro-psychosocial assessments to identify behavioral health, developmental, and other needs to be targeted with individualized healing, trauma-informed, and therapeutic interventions; whole-person case plan development; restorative programming; and strengths based, healthy living activities. The model also supports robust interventions and programming that are responsive to youth's needs and intersecting identities (e.g., culture, gender identity, gender expression, sexual orientation) and should include, but not be limited to, education, mental and behavioral health programming, substance use treatment, gang membership intervention, life skills development, mentorship through credible messengers and other trusted individuals with lived experience, and other resources tailored to the youth's needs. By following the elements detailed in the Model, counties and partnering agencies can ensure that they are providing developmentally appropriate, healing, and equitable supports and services across the continuum of care.

Within the Stepping Home Model framework, the Standards of Excellence provide critical benchmarks that must be met to ensure that counties and partnering agencies are adhering to the Model in their respective jurisdictions. To ensure the success of the Model, the Standards promote research-informed practices that are conducive to healing, accountability, and rehabilitation. As articulated in the Standards, the Model:

1) must center youth, family, and community throughout the continuum, which stems from equity- based approaches that address the needs of the youth, not their offenses;
2) is rooted in principles of adolescent development;
3) is healing, trauma-informed, culturally-responsive, and therapeutic at all levels; and
4) encourages meaningful ways for youth to take responsibility and make amends with victims and communities.

The Standards also emphasize community safety across the Stepping Home Model, which is rooted in scientific and community-defined evidence related to interventions, restorative

justice programs, and placements; uniformity in assessment tools across agencies; rigorous implementation standards; and the correct level of supervision across the continuum. Additionally, the Standards state that the programs and services offered through the model must be fully resourced in both community and carceral placements to transform the culture and infrastructure for youth to thrive at home and in their communities, including by leveraging and supporting existing programming in counties to prevent avoidable detentions through collaboration and partnership with agencies, departments, and community-based organizations. By applying these Standards of Excellence to guide adherence to the key elements and framework of the Stepping Home Model, counties can ensure that they are providing developmentally aligned, healing, and equitable supports and environments to youth, families, and communities across the continuum, from SYTFs to home.

KEY COMPONENTS OF LESS RESTRICTIVE PROGRAMS

Section 875 of the California Welfare and Institutions Code (WIC) describes LRPs as "…a halfway house, a camp or ranch, or a community residential or nonresidential service program….to facilitate the safe and successful reintegration of the ward into the community." While this definition is broad and allows for flexibility, it can also create confusion regarding the components necessary for a program to be considered an LRP, particularly when considering home with robust supports. **However, based on ongoing dialogue between OYCR and thought partners, a program may be considered an LRP so long as it provides youth with gradual exposure to less restrictive programming (i.e., more access to the community) until they are ultimately placed at home where restrictions are removed as their commitment is completed.** To aid counties in implementing LRPs, the principles for and defining features of implementing LRPs discussed previously in this document are elaborated on below:

- **Using Individualized Rehabilitation Plans:** To ensure that LRPs are trauma-informed, healing, and responsive to young people's needs, Individual Rehabilitation Plans (IRPs) must be used to provide appropriate and robust planning and preparation through transitions to LRPs and across the continuum of care. As described in the WIC, the IRP must be developed in partnership with youth and their families as well as others to identify youth's treatment, education, and developmental needs, including those related to their health, behavioral health, disabilities, culture, gender, and other special needs. The IRP must also identify corresponding healing, trauma-informed, and developmentally appropriate treatments and programming that will be provided to the youth during their commitment term. This should be completed using tools including the neuro-psychosocial assessments described in the Stepping Home Model to address all developmental and behavioral needs in adherence to the Stepping Home Model and the Standards of Excellence. IRPs must also include specific milestones for youth to achieve throughout their commitment term in order to participate in an LRP. The milestones should be created in partnership with the youth and their families, and they should be realistic and attainable for the youth to accomplish. Additionally, while

evidence demonstrates that non- punitive, graduated sanctions can be useful in treatment, they must not disrupt the youth's progress in meeting the goals of their IRP.

- **Promoting Safety, Security, and a Culture of Dignity and Respect:** LRPs must be safe and secure settings that provide trauma-informed and developmentally aligned conditions. This includes physical and psychological non-punitive safety measures through the physical conditions of the facility; meeting basic needs like sleep, hygiene, nutrition, and social interaction; and proper access to health care, education, and other essential supports (National Commission on Correctional Health Care, 2021b; 2022). However, safety and security do not only stem from maintaining adequate conditions of LRP facilities; these concepts also stem from the culture embedded within the facilities. The culture of LRPs should seek to promote a shared understanding that youth and their families must be treated with dignity and respect throughout their journey in the continuum, while ensuring accountability for the youth through restorative programming that makes amends with victims and communities.

  This shared understanding of a restorative and non-punitive system of accountability and healing can provide long-lasting, positive change in young people's lives. Each setting that is used as an LRP must adequately provide youth with a transformative and healing experience that will positively impact them and their rehabilitative journeys for life, rather than retraumatize them. This point is especially important given that most SYTFs are currently in juvenile halls that are not conducive to healing and development. Providing continuous, quality staff and agency training that is rooted in restorative ideals surrounding youth and their families is one step that counties can take to promote this culture and shared understanding within LRPs.

- **Defining Infractions and Unacceptable Behavior in LRPs**: To further promote a safe and secure environment for youth, as well as accountability, we recommend that all LRPs define unacceptable behavior and infractions for youth. These, as well as corresponding graduated sanctions, should be understood by all parties, including youth, families, probation, the court, and other oversight and relevant agencies. Youth in an LRP should not return to the SYTF for exhibiting an unacceptable behavior or committing an infraction. But, if they are exhibiting a material failure to comply, this may constitute their return to the SYTF. A material failure to comply involves repeated unacceptable behavior and infractions by a youth. If youth seem to display a material failure to comply, it should be the responsibility of the LRP to determine if this lack of compliance is willful, or if the youth is legitimately having difficulty in understanding the rules defining unacceptable behavior and infractions. As detailed in Section 875 of the WIC, if it is decided by the court that the youth should return to the SYTF for a material failure to comply, their baseline or modified baseline confinement term must be adjusted to include credit for their term served in the LRP. Additionally, any infractions or

unacceptable behavior cannot be used to extend the youth's baseline or modified baseline confinement term.

- **Emphasizing "Robust" Supports:** As previously stated, youth must receive robust support as specified in their IRPs, which must include basic needs supports such as health care, behavioral health care, education, job training, pre-release engagement with community health services and healthcare such as Medi-Cal, and housing placements, as well as other resources as needed like income support. A young person may receive all the programming and treatment required to transition to LRPs and ultimately be released from their commitment. However, if they do not have the fundamental income, housing, and care access that all individuals require to not only survive, but thrive, their programming and treatment may not be as useful. Providing youth with access to basic needs supports throughout the Stepping Home continuum of care, including through LRPs, is essential to ensuring that the supports described in the Stepping Home Model are robust.

  Robust supports should also include positivity and celebration where applicable in the continuum. As stated in the Stepping Home Model, a cohort model should be provided to youth to promote positive youth development through peer support that celebrates their milestones and exposes them to pro-social experiences. As youth move to LRPs through the successful completion of their milestones, particularly those described in their IRPs, they should be celebrated to provide continued motivation for their development and rehabilitation. Also, in accordance with their IRPs and community safety, leisure time, outdoor time, spirituality, and healing, as well as opportunities to attend community and family events like funerals, births, and weddings pre-release can further motivate youth to continue their successful development and positive change.

  Additionally, mentorship from and relationship-building opportunities with supportive staff, mentors, advocates, and other encouraging individuals such as credible messengers should also be emphasized in these robust supports. These kinds of encouraging relationships with individuals, particularly those with lived experience in the carceral system, can further help youth feel supported and understood throughout their journeys in the Stepping Home continuum, especially during times of transition into different programs and placements. Support and mentorship from credible messengers and other individuals who have faced similar circumstances can provide youth with much needed encouragement and knowledge as they develop and progress toward reentry.

- **Prioritizing Home**: In light of the previously discussed components to consider when creating LRPs, it is important to emphasize that whenever possible, *home with robust supports* as detailed in youths' IRPs should be utilized as less restrictive programs. As previously mentioned, any exposure to incarceration, including

residential-based LRPs, decreases the quality of life of young people in multiple ways. This is especially true of youth who have previously experienced trauma. While SYTFs and LRPs should adhere to the principles of the Stepping Home Model, a juvenile hall is still a juvenile hall, at the end of the day, and transitional housing or community- based residential programs, while better than carceral facilities, are still not home. Thus, to implement the Stepping Home model, community-based programming and treatment should be uplifted. If youth can receive the support they require as part of their IRP at home through community-based agencies, they should.

Counties should leverage and build partnerships with existing agencies in the community to ensure that home is available as soon as possible for as many young people as possible. It should also be noted that home can mean different things for different youth. As stated in the Stepping Home Model, examples of home can include, but are not limited to, living with immediate family such as parents or with non-parent kin, independent living, or living on college campuses. The availability of and placement within these settings are dependent upon the youth's needs, as detailed in their IRP; their long-term aspirations; and what suits their personal safety and success as well as community safety. Counties are therefore encouraged to think creatively when placing youth in home settings that may not be a "typical" home.

EXAMPLES OF POTENTIAL LESS RESTRICTIVE PROGRAMS

To illustrate the components described above, the following examples of several existing programs are provided. While not explicitly labeled as LRPs, these programs contain the previously discussed principles and defining features and can serve as examples of programs to consider when creating LRPs:

- **Amistad de Los Angeles (Community-Based LRP)**: Founded and run by the Amity Foundation, Amistad de Los Angeles is a community-based living program that provides reentry services for up to 184 men. Utilizing their Therapeutic Communities framework, which emphasizes healing through holistic, trauma-informed, and culturally responsive programming, Amistad provides individuals with a living environment that offers opportunities and tools to transform their lives, practice accountability for their actions, and successfully reintegrate into their communities after incarceration. Individualized services and programming include substance use treatment, behavioral health treatment, education, vocational training, life skills development, housing, and other resources that are tailored to the individual and their needs. Individuals are also provided with assistance in enrolling in healthcare services such as Medi-Cal. This programming is provided both "in-house" by Amity providers and off-site through partnerships with relevant agencies. Individuals typically enter Amistad through referral from their respective oversight agencies such as probation. These tailored, holistic, and

trauma-informed services provided in a safe, less restrictive environment, coupled with a culture of dignity, respect, and understanding, makes Amistad a prime example of a community-based LRP.

- **New York's Close to Home Initiative (Probation-Partnership LRP):** Following a series of reforms and community-based alternatives to placement, the Annie E. Casey Foundation partnered with New York City's Administration for Children's Services and Department of Probation and community partners to create the Close to Home Initiative. The initiative is based upon the understanding that youth with charges have a better chance of succeeding in their journeys of healing and accountability when they are close to home rather than inside of carceral facilities far from their communities. Using the Risk-Needs-Responsivity framework and principles of Positive Youth Development, the Initiative implements seven core principles to ensure healing, trauma-informed, and developmentally appropriate journeys for youth: community safety, accountability, evidence-based and evidence-informed treatment, educational continuity and achievement, community reintegration, family engagement and collaboration, and permanency.

  Youth are placed in small group homes in or near one of the five boroughs in which they live where they receive programming and treatment tailored to their needs, including behavioral health treatment, education, vocational programming, and other resources that are developmentally aligned and responsive to their needs. Close to Home offers an example of an LRP that was co-created in partnership with government agencies and provides its services using these agencies' oversight. If county probation and other departments are interested in creating this kind of program in conjunction with community-based organizations, Close to Home can inspire departments in California.

- **Advance Peace (Home-Based LRP):** While Amistad and Close to Home are residential programs where individuals reside, Advance Peace is an organization that works with young men involved in gun violence at their homes through the Peacemaker Fellowship. The Fellowship is an 18- month mentorship program that delivers robust support and programming to youth at their respective homes based on their individual needs through community-based agencies. Individualized programming includes gang intervention, behavioral health treatment, substance use treatment, restorative programming, life skills development, and educational and vocational support, along with mentorship from credible messengers who share similar experiences. Youth are also provided with income assistance through LifeMAP Milestone Allowances, which are incentive-based stipends for youth as they progress throughout their time in the Fellowship. Since the creation of the Fellowship, rates of gun-related injuries have decreased, and members of the Fellowship have faced lower rates of rearrest (Corburn et al., 2021). Advance Peace is a community-based organization that leverages both private funding and funding from government agencies to provide robust support and restorative programming that promote healing and accountability for youth at home,

not through incarceration. When considering home with support as an LRP for young people, Advance Peace's Peacemaker Fellowship can be looked to for inspiration.

- **Conservation (Fire) Camps**: Another program that can be used for youth in the Stepping Home continuum are conservation, or fire, camps, such as the Pine Grove Youth Conservation Camp. Individuals participating in fire camps receive tailored programming and services as detailed in their IRPs and take part in wildfire prevention efforts, flood control activities, and restoration projects in state and county parks. During fire season, fire camp crews are also involved in wildfire suppressions throughout the state. Youth participating in these camps gain firefighting and other employable skills, like leadership abilities through the crew structure of the camps. If youth are interested in developing these kinds of skills while receiving services and resources as outlined in their IRPs, counties can consider utilizing fire camps as an LRP.
- **Colleges and Universities**: As mentioned previously, education should be included in each youth's IRP and should reflect the youth's goals and aspirations. Youth who are currently in an SYTF and are interested in pursuing education higher than K-12 should be encouraged to do so. While educational resources and classes can be brought to carceral facilities, youth who are interested in attending classes on college campuses may pursue this option if it is available and applicable to the progress they have made in their IRPs. A program may be considered an LRP so long as it provides youth with appropriate developmental and rehabilitative programming and increased exposure to their communities. Therefore, a college campus may serve as an LRP if the young person leaves the SYTF for classes and returns to the SYTF after. Educational programs and networks in California that serve individuals who are currently or were formerly incarcerated can be leveraged to assist youth who are interested in attending college or university. For example, the Rising Scholars Network serves this population of students in the California Community Colleges System. Other programs include Project Rebound, which exists in the California State University system, and the Underground Scholars program, which has formed across University of California campuses. Colleges and universities are vital locations that can, and should, serve as LRPs when available and applicable, in accordance with youths' progress and their goals as well as community safety.

CONCLUSION

California is in a unique position to improve community safety and the health of Californians by transforming current concepts around youth justice. When we rethink what it means to have a restorative juvenile legal system, we can provide rehabilitation and accountability in healing, trauma- informed, and developmentally appropriate ways, instead of retraumatizing youth and their families. The creation of this new system, including LRPs, is an ongoing partnership between OYCR and thought partners including counties, advocates, and other vital stakeholders. We recognize the challenges that may come with implementing and sustaining this new vision of youth justice, such as administrative costs and the effort required to develop, implement, monitor, and refine LRPs. However, LRPs offer a promising opportunity to help secure healthy and bright futures for young people. While not an all-inclusive document, it is our hope that this piece serves as a starting point that sparks thought and conversation surrounding LRPs to create partnerships across jurisdictions, share ideas, and achieve new possibilities.

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