

Office of Youth and Community Restoration Re-envisioning Juvenile Justice through a Health- Based Lens

CWC OYCR Presentation
March 13, 2023





Juvenile
Justice in
California



Research
Informing
Practice



Redesigning
Youth Justice



About OYCR
and Current
Challenges



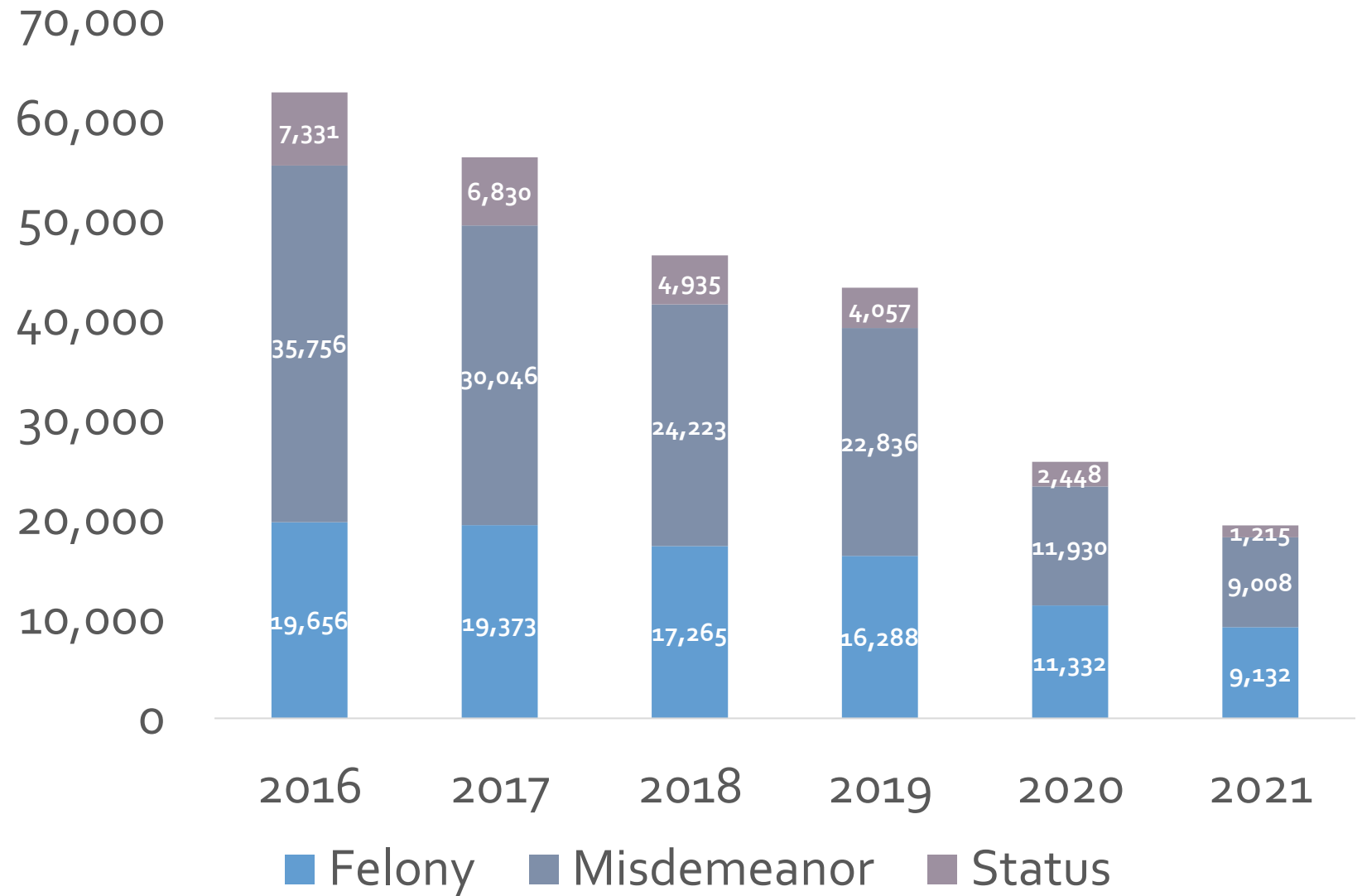
The
Opportunity
of this
Moment

Today's Discussion

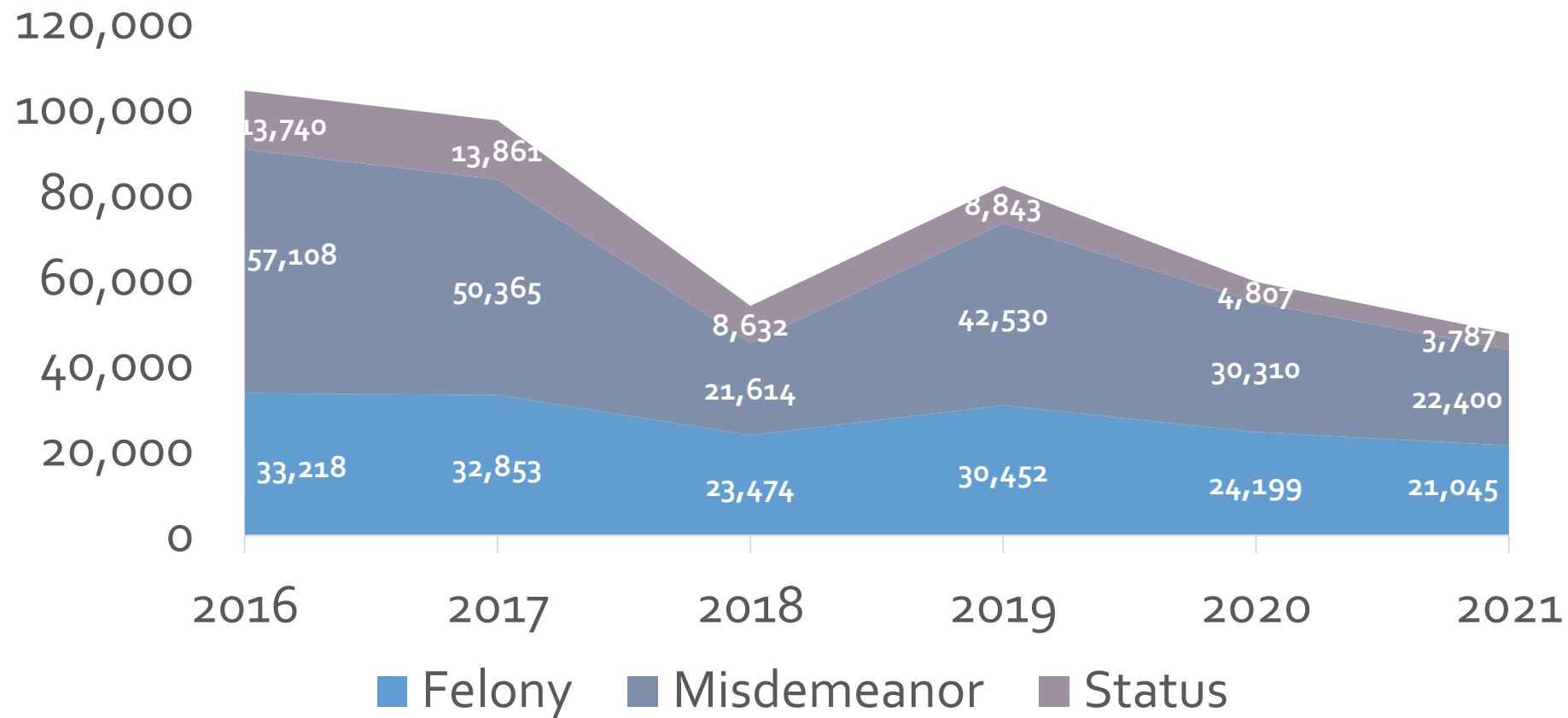


Juvenile Justice in California

Juvenile Arrest Rates in California 2016-2021*



- *California, Office of the Attorney General. (2010). Juvenile justice in California 2016-2021 [Series]. See <https://oag.ca.gov/cjsc/pubs#juvenileJustice>
- Data from Monthly Arrest and Citation Register (MACR) database. If a person is arrested for multiple offenses, the MACR selects only the most serious offense based on the severity of possible punishment.



Juvenile Rates of Referrals to Probation in California 2016-2021*

- *California, Office of the Attorney General. (2010). Juvenile justice in California 2016-2021 [Series]. See <https://oag.ca.gov/cjsc/pubs#juvenileJustice>
- Data from Juvenile Court and Probation Statistical System (JCPSS) database.

Intersection of Child Welfare and Juvenile Justice

- Dually Involved Youth: Youth who have interacted with both the child welfare and juvenile justice systems
- Many youth referred to probation have also had contact with child welfare
- For example, 83% of justice involved youth in LA county had first been involved in the child welfare system.
- Those with the most extensive child welfare involvement were at greatest risk for JJ Detention and subsequent recidivism.

The majority of dual system youth touched both systems at different times (53%). Nearly all dual system youth interacted with the child welfare system before entering the juvenile justice system (94%).

FIGURE 6

Dual System Pathway Breakdown

27% DIJJH

Dually-Involved Juvenile Justice First + a Historical Child Welfare Case

Dually-Involved Child Welfare First

14% DICW

DSJJ 6%

Dual Status Juvenile Justice First

Dual Contact Child Welfare First

DCCW 53%

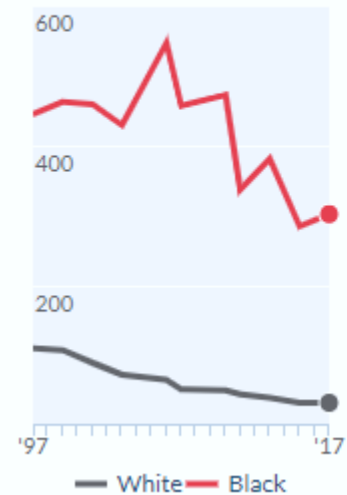


Source: Children's Data Network (2021)

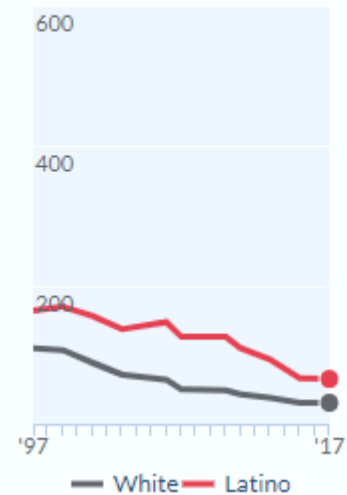
Placement Type	2013	2014	2015	2016	2017	2018	2019	2020	2021
Own/relative's home	19543	17545	15175	13342	12536	11673	9833	6860	5351
Detained in Secure County Facility (post-adjudication)	12158	10394	8580	7854	7094	6437	5355	3301	2491
Non-Secure County Facility (post-adjudication)	738	551	587	488	513	488	270	206	153
Other public facility	120	148	113	111	90	53	59	38	38
Other private facility	4156	3951	3272	2916	2818	2359	2325	1707	1082
Division of Juvenile Justice	224	241	216	183	224	317	343	206	191
Sent to "other" facilities (post-adjudication)	676	596	504	577	414	431	1031	451	317

Placement After Adjudication

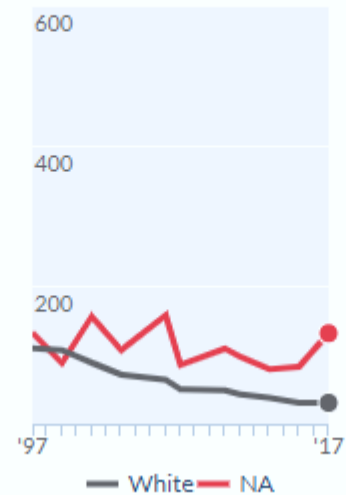
Black
2017: 9 to 1



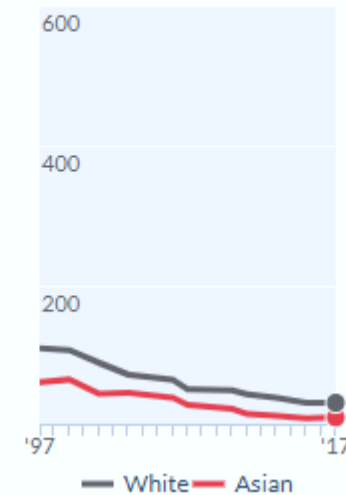
Latino
2017: 2 to 1



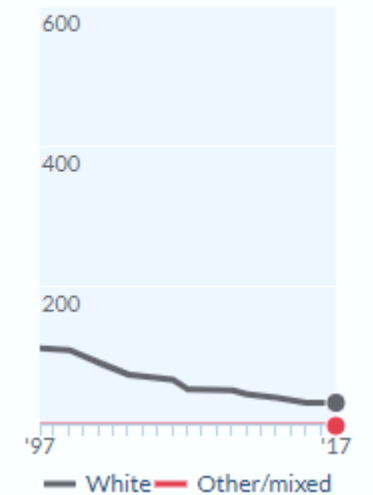
Native American
2017: 4 to 1



Asian
2017: <1 to 1



Other/mixed
2017: 0



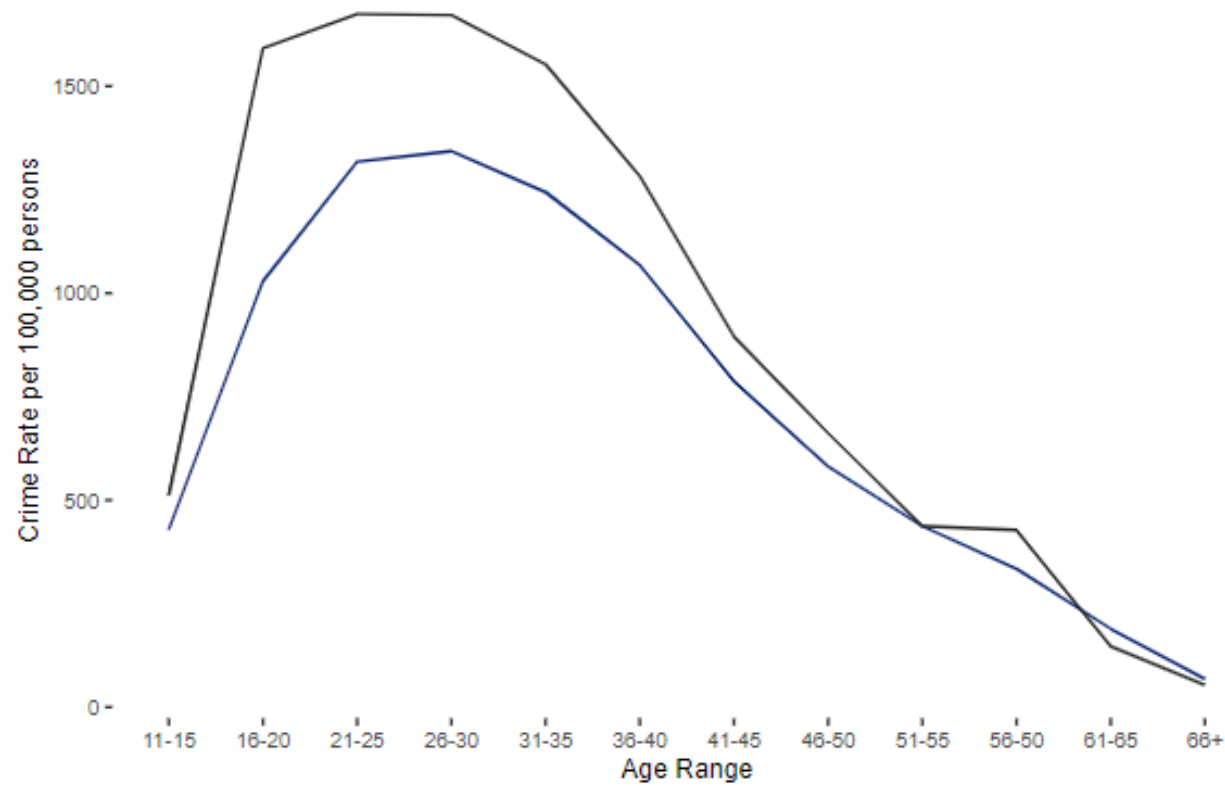
Disparities in Youth Incarceration

Impact of Incarceration on Youth

- Fiscal Impacts
 - Average cost per stay: \$25,000 per youth per stay
 - Average length of stay: 3 – 4 months
- Benefit of prevention:
 - Save \$2.6 to 5.3 million for one 14-year-old (Cohen & Piquero, 2007)
- Impact on Youth
 - Reduced access to school, clubs, activities
 - Disrupted social ties with family and community
 - Worse physical and mental health outcome
 - Increased recidivism
 - Reduced success in education and employment
 - Incarceration itself is a trauma

Key Research Informing Practice



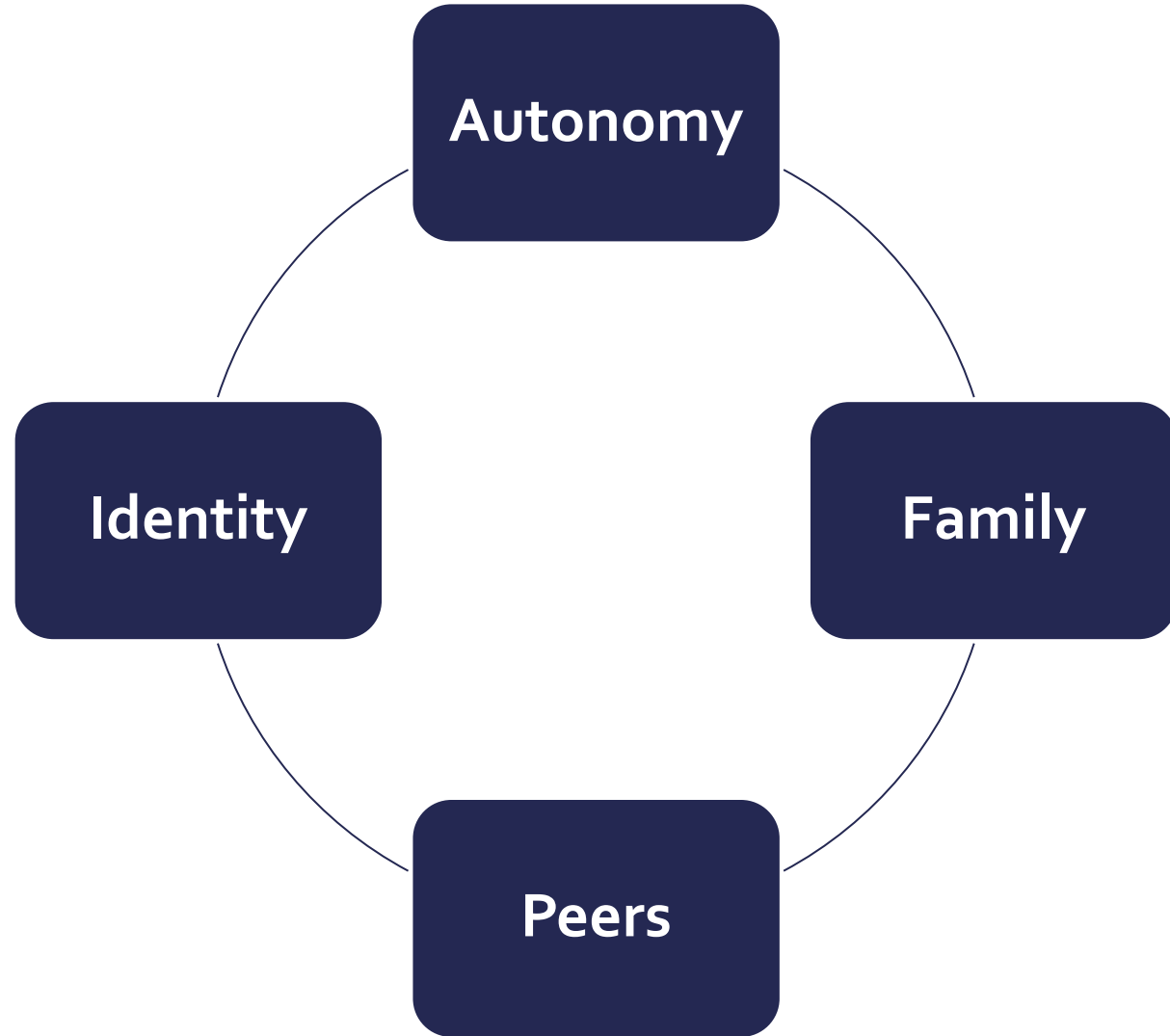


Age Crime Curve

- Window of adolescence
- Consistent pattern over time with crime increasing into and then peaking during adolescence, then tapering off into adulthood.
- Largely thought to be explained by these developmental patterns

Changing Social Context during Adolescence

How do these changes influence adolescents' behaviors and motivations?



The Developmental Paradigm

Developmental paradigm: Adolescents are different from adults. These differences have important implications for the criminal legal system.

Some examples of key differences include:

- Behaviors
- Decision Making
- Thinking and reasoning
- Capacity for change
- Peer influence

If we understand how adolescents are different than adults...we can more effectively adapt the juvenile legal system.



Brain Development: Understanding Differences between Adolescents and Adults

The brain does not fully mature until adulthood (mid-20s). Why does this matter?

- Some areas of the brain that control aspects of thinking, feeling, and behavior are ***not fully developed for adolescents***.
- Different parts of the brain mature at different rates contributes to a “**mismatch**”
 - Parts of the brain related to **emotions, rewards, risk-taking** increase during adolescence
 - Parts of the brain related to **higher level thinking, reasoning, self-regulation** develop later
- This mismatch stabilizes into adulthood when the emotion/reward/risk processing parts of the brain slow down, and the regulating sections catch up.

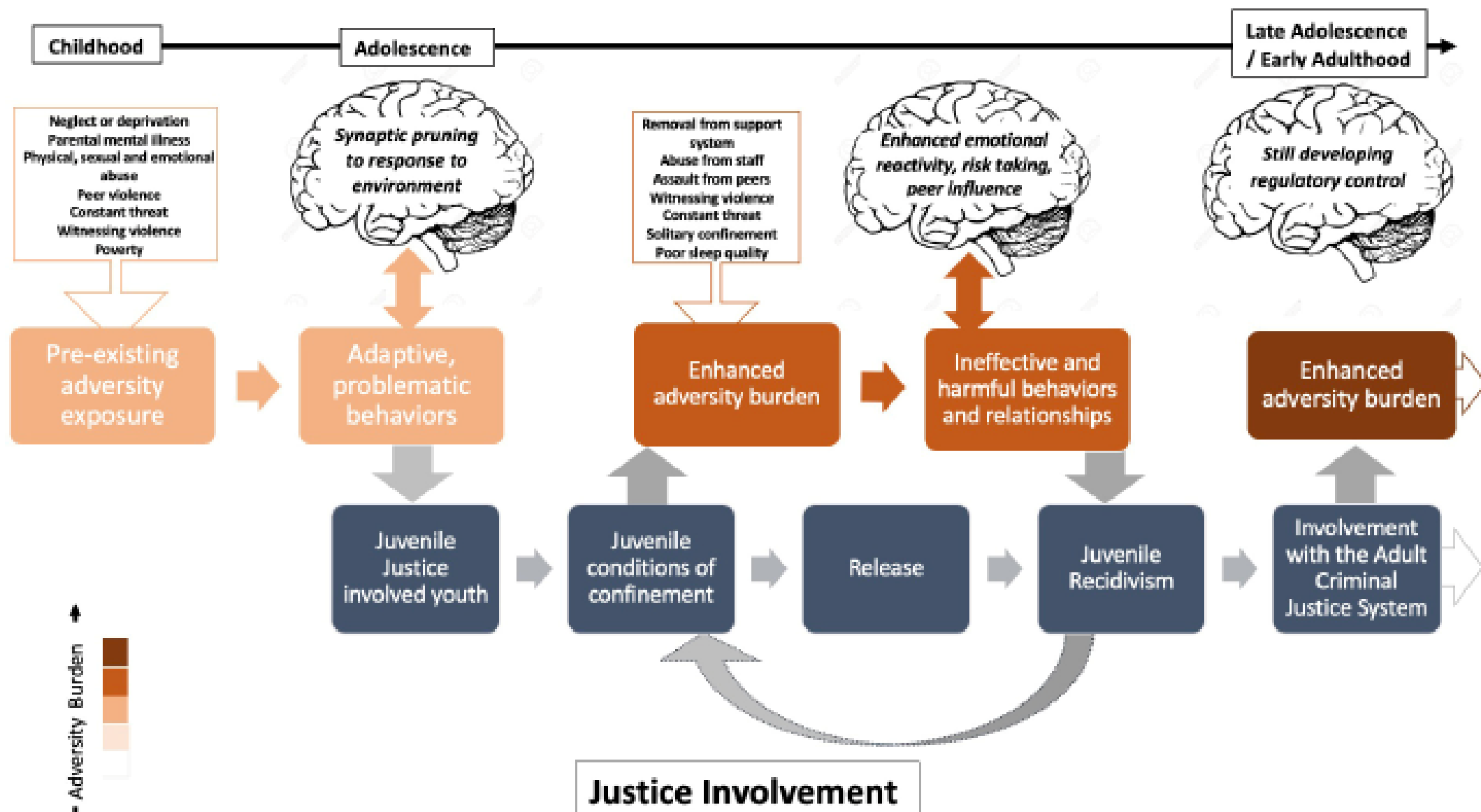


FIGURE 1

Conceptual representation of youth adversity exacerbation in the juvenile justice system (JJS).

Other considerations relevant to court-involved youth and the developmental environment: **Social Disparities**

Social disparities may impact how youth risk-taking manifests or is perceived...

- Neighborhood factors- exposure to violence, crime, substances, higher policing, fewer recreational and youth development opportunities
- Racial/ethnic bias- ex. Black youth often perceived as more aggressive
- Poverty-some offending driven by unmet needs
- School Pushout

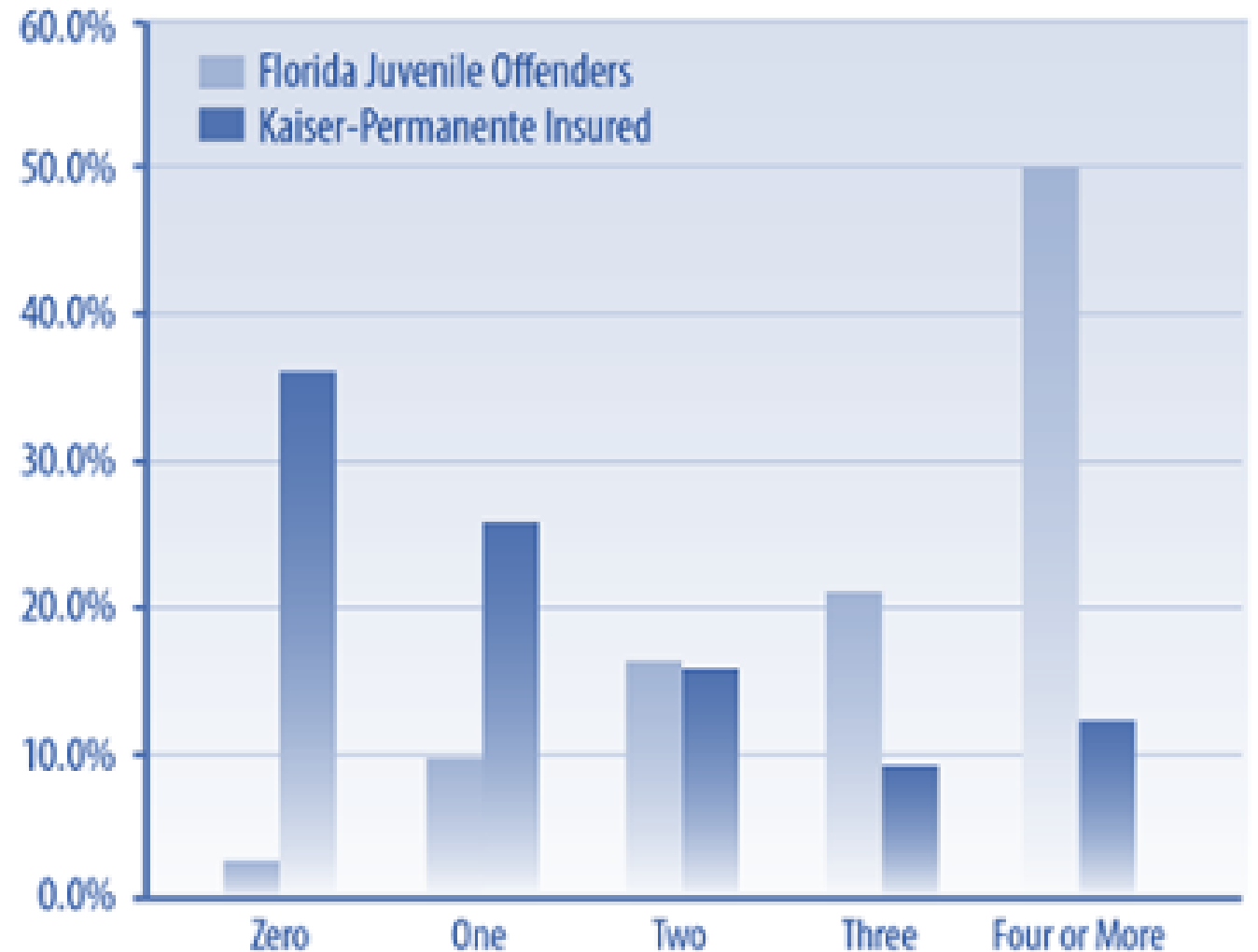


Other considerations relevant to JJ and the developmental environment: **Trauma**

ACES (adverse childhood experiences, like abuse, neglect, community violence)

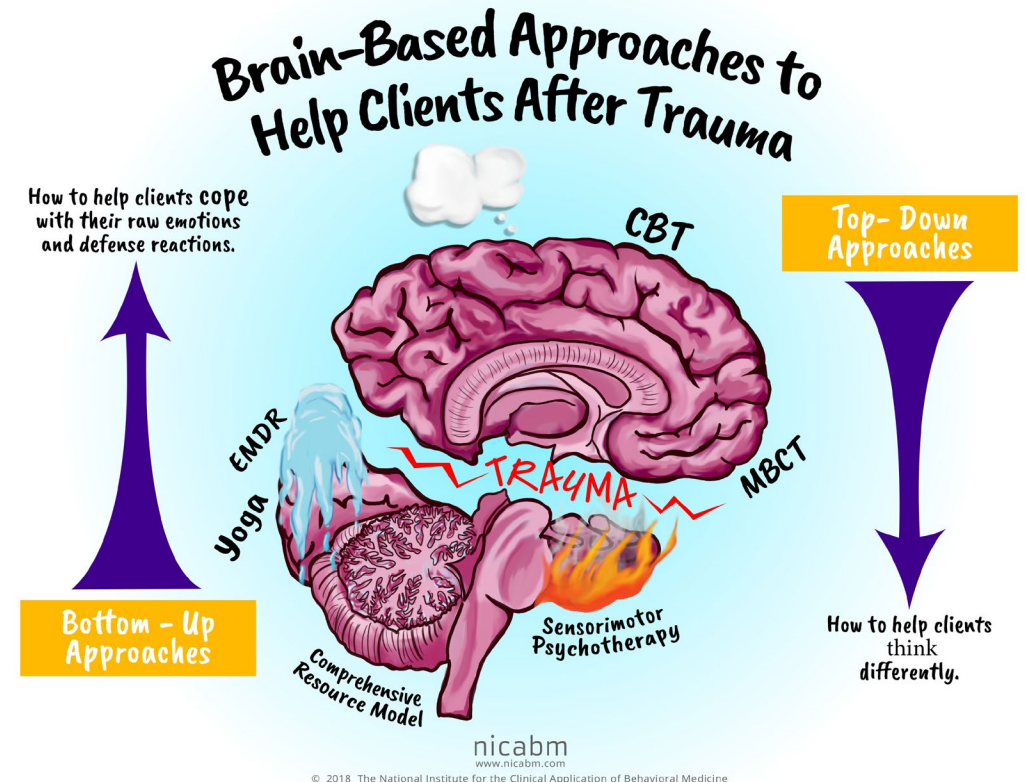
Trauma impacts development in ways that often exacerbate the “mismatch”

- **50-80%** of juvenile justice-involved youth report having experienced some form of trauma



Effects of Trauma on the Adolescent Brain

- Chronic traumatic experiences prevent adequate development of the **prefrontal cortex** → delays decision-making capability and impulse control
- Trauma is linked to reduced gray matter volume and decline in **hippocampal** volume and increased amygdala reactivity → implication in reduced emotional regulation (Cisler and Herringa 2021)
- Parts controlling fear and anxiety grow as a protective mechanism; parts controlling logical, rational thinking shrink
- Sustained stress from trauma leads to frequent activation of stress response → elevated levels of cortisol and adrenaline → impairments in learning, memory, and the ability to regular stress responses



Healing and Recovery Potential

- Studies suggest the healing potential and protective properties, such as self-compassion, strong support system, promote resilience to and recovery from traumatic stress (Zeller 2015, Hauser 2010)
- To heal from trauma, the amygdala needs to be calmed so a person can turn off danger signals and realize that they are not under threat
- Stress hormones lower and the brain's alarm system recalibrates



Developmental Plasticity in Juvenile Legal Settings

- **Developmental Plasticity:** capacity for change in the brain (recall increasing self-regulation and decreasing impulsivity into adulthood...examples of plasticity!)
- *Adolescence is considered the last period of high developmental plasticity. So, it's especially important during adolescence to...*
 - Increase exposure to environments that **PROMOTE** healthy development
 - Reduce exposure to environments that **UNDERMINE** or **INTERFERE** with healthy development



FEW elements of JJ environment **PROMOTE**

- Reduced access to school, clubs, activities
- Disrupted social ties with family and community
- Limited opportunity (or consequences) for exploration, making mistakes, taking risks

MANY elements of JJ environment **INTERFERE**

- High stress
- Exposure to violence and threats
- Isolation
- Surrounded by peers who are also struggling

Seek Least Restrictive Response

- Longer stays and more restrictive sentences do NOT lower recidivism
 - Many large-scale studies demonstrate **no link** between length of sentence and re-offending
 - In fact, longer time in placement often has negative effects (health, trauma, self-efficacy, academic achievement)
 - **Remember- developmental plasticity:**
- Minimize exposure during adolescence to environments that undermine development
 - More restrictive punishments typically means:
 - Fewer opportunities for autonomy, identity development,
 - More disruptive to social context
 - Rarely addresses root causes

Redesigning Youth Justice



A new approach to support court-involved youth

- Senate Bill 823
 - Closes the Division of Juvenile Justice (DJJ) by June 30, 2023
 - Established Office of Youth and Community Restoration (OYCR)
- OYCR was created within the California Health and Human Services Agency (CalHHS)
 - Provide statewide leadership on court-involved youth through a **health-oriented, evidence-based, healing mindset** that is informed by an understanding of adolescent development.

CALIFORNIA

FIRE
CONTROL
ROOM

DJJ Closure

- DJJ Closes on June 30, 2023
 - ~300+ to return to counties by 6/30/23
- Local facilities will house youth up to the age of 25.
 - ~275 now in local programs
- Supervision of youth offenders after the age of 25 can occur.
- Sex Offender Registration no longer required
- Use of Juvenile Halls, Ranches, Camps
- Step Downs
- Reentry

What drives OYCR?

- **VISION**

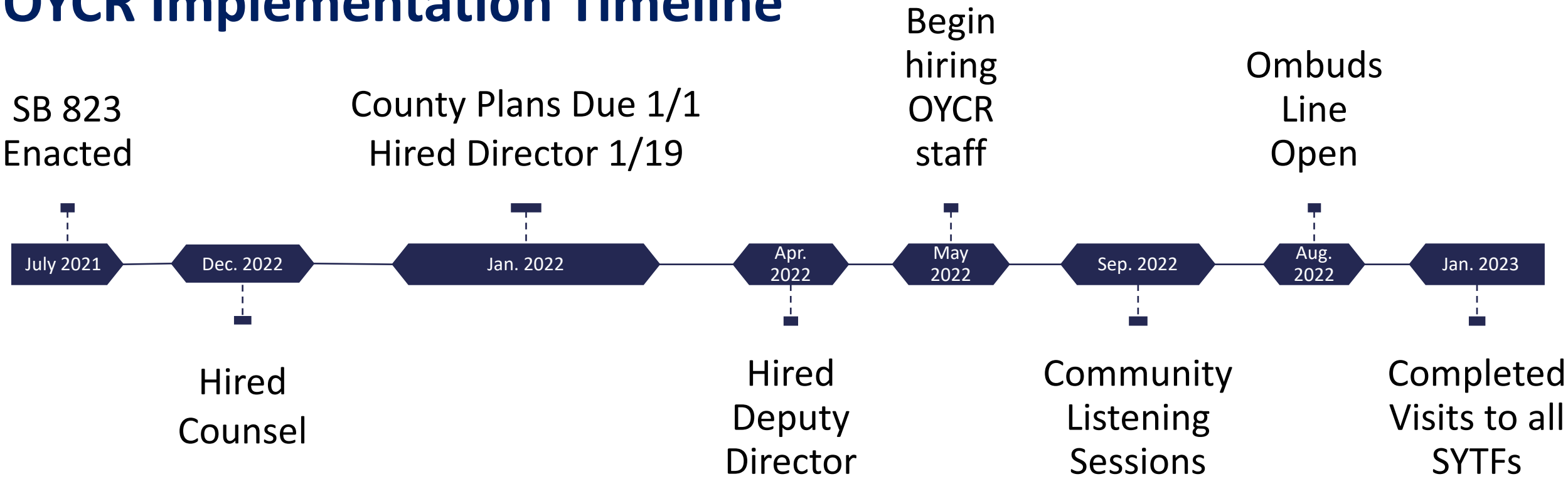
- We envision a Healthy California that enables all youth to be responsible, thriving, and engaged members of their communities.

- **MISSION**

- Promote trauma responsive, culturally informed services for youth involved in the juvenile justice system that support the youths' successful transition into adulthood.



OYCR Implementation Timeline



Data and Research Unit: Support and Develop Capacity of Counties



Data and Research Technical Assistance



Monthly Data/Researcher Meetings



Develop TA Guides

Ex: Data governance
Ex: Outcome
tracking/performance metrics



Workgroups

Ex: Data standardization
Ex: Common outcome metrics



Data and Evaluation Specific Trainings



Provide data policy leadership



Measuring What Matters

- **Youth Outcomes**
 - Education and post-secondary
 - Behavioral health
 - Family/community support
 - Physical health
 - Positive youth development
- **Community Outcomes**
 - Community-based responses and interventions
 - Public safety
 - Restorative justice
- **System Outcomes**
 - Use of detention
 - System design and approach
 - Keeping youth in juvenile justice system
 - Equity in experience and outcomes

Immediate Challenges

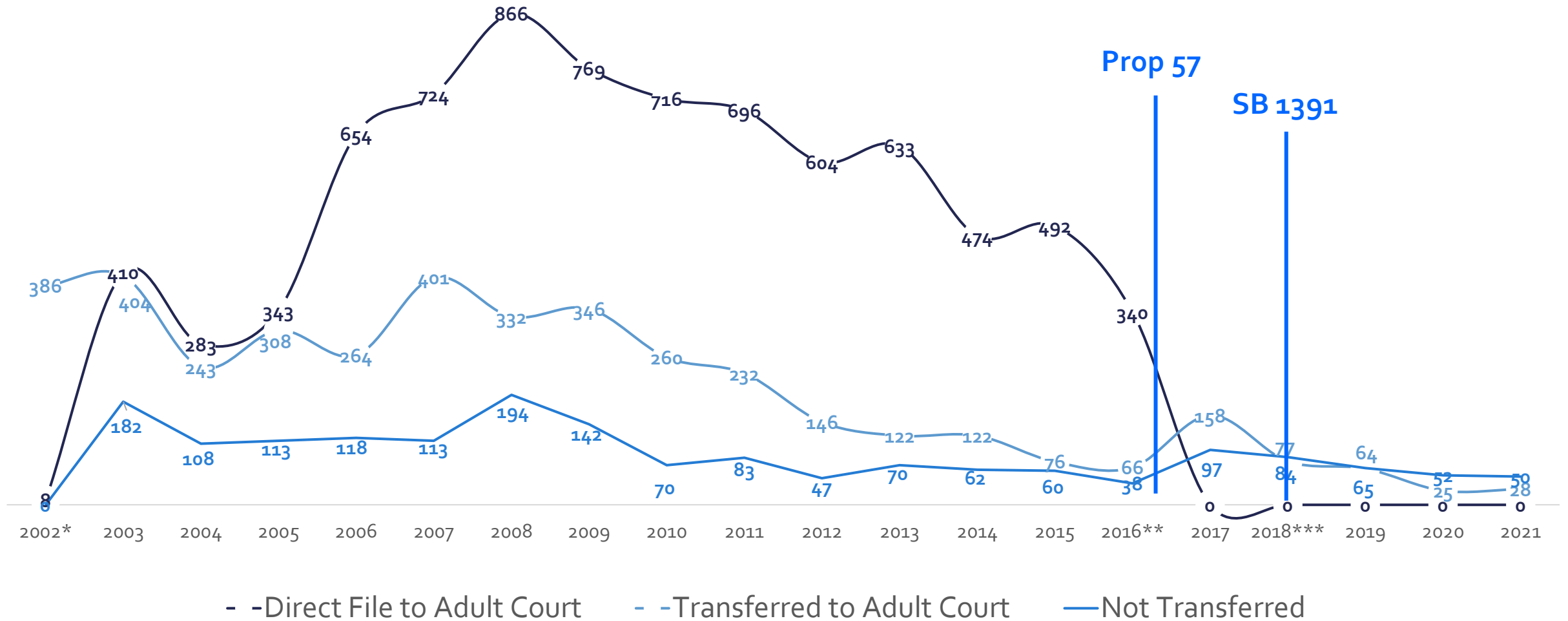
- Youth who have offended sexually
- Mental health needs/Complex Care Needs
- Decreasing youth transfers to adult court
- Educational needs
- Community-based resources

California Initiatives Related to Children's Behavioral Health

- Children and Youth Behavioral Health Initiative
- Behavioral Health Task Force
- Behavioral Health Continuum Infrastructure Program (BHCIP)
- ACES Aware Initiative (Office of the Surgeon General)
- CalAIM (California Advancing and Innovating Medi-Cal)
- Complex Care Steering Committee (Dept. of Social Services)
- Council on Criminal Justice and Behavioral Health



Trend of Youth Facing Adult Court



*No info on results of fitness hearings for 2002.

** Prop 57 started midyear

***SB 1391

Education Needs for Juvenile Justice Youth

- School to Prison Pipeline
- Some estimate that as many as 70 percent of youth in the justice system have learning disabilities
- ~30% are English learners at DJJ
- Many youth do not return to school after release from secure custody
 - Substandard education while incarcerated;
 - Issues with correctional educational curricula aligned with state standards, which can result in credits not transferring or being accepted by the home school district;
 - Significant delays in the transfer of youth's educational records and credits from the court school to their community school upon release; and
 - Barriers some schools and states have enacted to prevent youth from re-enrolling in school.
- Youth graduating but can not meet state standards for reading and math

Education is the
most powerful
tool we can use
to change the
world.

Nelson Mandela





Understanding the Potential of Students with Juvenile Justice Experience

College material

Leaders on campus and in the community

Academically successful, curious, and insightful



California Initiatives Related to Education for Youth in the Juvenile Justice System

\$15 Million in on-going funding invested in Rising Scholars Network at the CA Community College Chancellor's Office

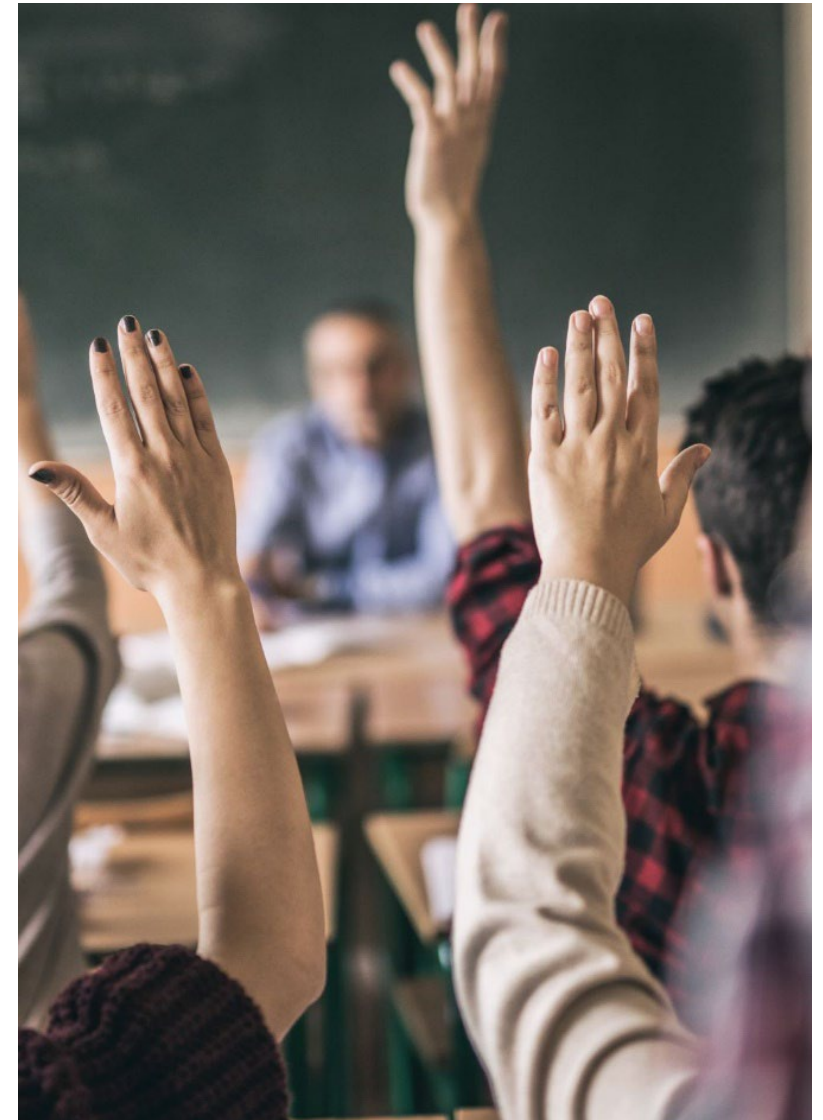
Movement for Alternatives to Incarceration

SB 823 DJJ Realignment

Dual Enrollment Legislation: AB 102

College Access Legislation: SB 716

Unique Opportunity for Engaging Justice-Impacted Youth in Higher Education



Alternatives to Confinement Work

- Community alternatives to confinement exist and have shown equal or better outcomes at lower cost
 - Examples: mentoring and credible messengers, family-focused therapy, wrap-around programs
- Confinement is not necessary to achieve healing and accountability, and likely impedes healing processes
- Confinement does not necessarily improve public safety. Strengthening youth, families, and communities improves public safety.

Purpose of Step-Home Model

To optimize **healing** and **accountability** of youth with serious offenses by providing robust, developmentally aligned, trauma-informed, therapeutic care that strengthens youth, families, and communities.

Prioritizes service delivery at home post-adjudication whenever possible, rather than out-of-home placement. Detention and reentry services are also enhanced.

Elements of Step-Home Model



Trauma-
Responsive and
Therapeutic



Strength-Based



Developmentally
Aligned



Home-Based

THE OPPORTUNITY OF THIS MOMENT

