

# FAMILY COMES FIRST

A Workbook to  
Transform the  
Justice System by  
Partnering  
With Families

CAMPAIGN FOR  
**YOUTH JUSTICE**

BECAUSE THE CONSEQUENCES AREN'T MINOR



**ALLIANCE FOR  
YOUTH JUSTICE**

In Partnership with the Campaign for Youth Justice

# The Campaign for Youth Justice & The Alliance For Youth Justice

The Campaign for Youth Justice (CFYJ) is a national nonprofit organization working to end the practice of trying, sentencing, and incarcerating youth in the adult criminal justice system. Part of our work involves improving the juvenile justice system and ensuring that youth and families have a voice in justice system reform efforts. Through these efforts we have seen and heard first-hand the trouble that families face when dealing with the justice system and were approached by the Annie E. Casey Foundation to write this publication.

CFYJ was started in 2005 by a family member whose child was being prosecuted in the adult system. Since our founding, we have placed a significant emphasis on making sure that youth and families who have been directly affected by the justice system are involved in our advocacy efforts. Becoming more family-focused means that everyone, including advocacy organizations such as ours, need to start working differently. We are responsive to families by making a concerted effort to meet the needs of families who call our offices looking for help, and we involve family members in discussions around our strategic goals and initiatives.

One of the major components of our work is staffing and supporting the Alliance for Youth Justice, formerly known as the National Parent Caucus. The Alliance formalizes our commitment to involving persons who have been directly affected by the justice system in our advocacy efforts. The Alliance for Youth Justice is made up of families, youth, and allies from across the country who come together to advocate, share information, and guide policy reform efforts to transform the justice system. The Alliance provides educational materials, campaign tools, and skills- and leadership-training opportunities to build a movement of reformers and family experts on youth justice issues. Readers interested in joining the Alliance should email [alliance@cfyj.org](mailto:alliance@cfyj.org) or call (202) 558-3580.

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### Special Icons Used in this Workbook

The following icons are strategically placed in the margins to point out features in the text that mean:



Questions to consider



Valuable tips to use in many areas



Key points you will want to remember



Take note of these ideas from juvenile justice professionals



Personal stories

# INTRODUCTION

*“Our goal is to partner with you as a family. We value and appreciate you as the single greatest influence in your child’s life.”*

From the first call families receive letting them know their child is in trouble, families report feeling shocked, confused, and traumatized by the system.

*I knew absolutely nothing. They were talking about terms I had no knowledge of. As a parent, you have no idea what rights you have. Should I speak? Should my son speak?<sup>1</sup>*

As families move through the system, they are confronted by justice system professionals who appear to blame them for their child’s behavior.

*In most circumstances, parents are the most intricately involved people in their youth’s life. Many parents have the desire, will, and hope to help their children achieve success. It is very frustrating that we are not valued and validated. It is not very empowering or encouraging when all you hear as a parent is, “What caused this?” “What are you doing about this?” Well, if we knew, don’t you think that we would fix it?<sup>2</sup>*

Most justice systems in operation today are not the result of conscious planning or design, but rather reflect an accumulation of laws, policies, and practices that have developed over the past hundred years. Given the history of the juvenile justice system, which kept families at arm’s length, coupled with organizational and fiscal challenges facing agencies today, it is not surprising that many justice systems are struggling to meet the needs of families.

The good news is that a paradigm shift is underway in juvenile justice – one that recognizes that families are the most knowledgeable experts in their children’s lives. System stakeholders are working together with families to break down stereotypes and stigma, engage families in individual treatment decisions and larger policy reforms, and prepare youth for productive futures. For example, DuPage County, Illinois, has embraced a new philosophy for working with families that exemplifies this new approach:

*Our goal is to partner with you as a family. We value and appreciate you as the single greatest influence in your child’s life. You can bring about positive*

*change for both your family and the whole community. We encourage you to communicate openly and regularly with probation staff because we share a common goal of success for youth.*<sup>3</sup>

In the past few years, the juvenile justice field has made major strides in elevating the importance of family involvement to overall system reform efforts. We have come a long way even though we have far to go. In 2008, the Center for Juvenile Justice Reform at Georgetown University conducted a survey of juvenile justice probation and correctional leaders and found that family engagement was ranked as one of the three most important operational issues facing their department or agency, but also the most difficult to address.<sup>4</sup> Since that time, numerous organizations and initiatives have developed tools, resources, and strategies to assist agencies. While each of the individual efforts makes important contributions to the field, what has been missing is a vision of what a transformed justice system would look like that honored and supported families before and after their children had contact with the system. This workbook fills that gap by providing a clear and intentional guide to transforming the justice system by taking a family-driven approach.

**Family involvement has been a priority at the following juvenile justice-related organizations:**

- Center for Juvenile Justice Reform at Georgetown University
- Council of Juvenile Correctional Administrators
- Performance-based Standards for Youth Correction and Detention Facilities
- MacArthur Foundation's Models for Change Initiative
- National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At Risk
- Office of Juvenile Justice and Delinquency Prevention's National Center for Youth in Custody
- Vera Institute of Justice's Family Justice Program
- Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative

Justice system professionals often make reference to the “my-child test,” a standard that asks whether the justice system in operation today would be the one you would want for your own child (see page 26). While our research findings suggest that no jurisdiction currently meets this standard, as demonstrated by the numerous examples in this workbook, we now know that families can be supported and valued at every stage of the justice system. Through a literature review, focus groups, surveys of system professionals, and site visits, this workbook identifies the common ground that exists between family members and system professionals, and it provides a road map forward to making family-system partnerships a reality.

*Family Comes First* breaks down what families want into five specific features representing a transformed justice system:

1. Families will be supported before and after challenges arise.
2. Families will have access to peer support from the moment a youth is arrested through exit from the system.
3. Families will be involved in decision-making processes at the individual, program, and system levels to hold youth accountable and keep the public safe.
4. Families will be strengthened through culturally competent treatment options and approaches.
5. Families will know their children are prepared for a successful future.

In addition, this workbook provides a new framework for systems—the FAMILY Model—to guide efforts to create and sustain meaningful family-system partnerships. Readers can think of the Five Features as slices in a pie that together achieve a transformed justice system, with the FAMILY Model providing the essential ingredients to achieve this vision.

## HOW TO USE THIS WORKBOOK

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This workbook presumes that all of its readers are deeply committed to helping children and are eager to learn how to improve the way families are treated within the justice system. We encourage you to make this workbook your own and have provided extra margin space to jot down your thoughts while you read. We also occasionally provide prompt questions to spark ideas about how to use the information in your own jurisdiction.

Some readers will want to read this publication cover-to-cover. Others will skip to the sections that appeal most to them. There is no right or wrong way to use the information. To help you decide which approach to take, below is a brief description of the major sections of this workbook.

In Part I we review the research on why families need to be integral partners in addressing youth needs as well as the common misconceptions that exist about families. We report the major problems that family members often experience when they have contact with the justice system, followed by the reasons system stakeholders find it difficult to work with families. We also summarize the benefits that systems have already achieved by becoming more family-friendly. From this background material readers will see that families and systems working together is best for children and public safety.

In Part II we describe the “Five Features of a Transformed Justice System” by highlighting promising ideas used in communities across the country at different stages of the justice system. The examples are offered to showcase the breadth and scope of what families say they want for their children and our justice system.



What are your top reasons for reading this workbook?

The examples are not a complete inventory of family-friendly practices in the juvenile justice field. To create such a document would span several thousand pages, a testament to the efforts of hundreds of individuals who have developed creative programs and strategies to help families (see the Methodology section for a complete description of how we choose which programs to feature). Instead, we hope these innovations stimulate conversation and generate ideas to use in your own community. This section shows readers that change is possible and that family members can work alongside system professionals to meet the needs of youth.

Part III compiles the lessons learned from across the country about how systems have been able to achieve the results to date. Using the word “family” as a mnemonic device, we present the FAMILY Model as an integrated conceptual framework for system stakeholders to use to evaluate how responsive the justice system and other child-serving agencies in their community are at meeting the needs of youth and families. We also provide concrete policy recommendations to help federal, state, and local policymakers take an affirmative family-focused approach to transform the current justice system and related child-serving agencies.

In Part IV, we provide three concrete tools to help you get started making policy and practicing changes in your own jurisdiction. Tool 1 is our quick start guide that helps explain how transformation efforts happen and helps readers identify things they can do to initiate action in their agency or community. Tool 2 is a sample focus group script to use to solicit concerns and frustrations of family members. Tool 3 is a comprehensive assessment for systems to evaluate how well their system complies with the elements of the FAMILY Model.

### Here are some additional ideas for how to use this workbook:



**Educate** yourself and others about the need to support families involved in the justice system.



**Train** families and staff by using this workbook to challenge existing stereotypes about families and spark conversations about ways to improve the justice system.



**Identify** ways to expand upon the positive changes already underway in the community.



**Develop** a policy agenda to pursue at the local, state, and federal levels to build the family-system partnerships proposed in this workbook.



## HELPFUL DEFINITIONS

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The challenge of describing how the justice system can become more responsive to the needs of families reflects, in part, a lack of consensus about the vocabulary used to describe who and what we mean. What do we mean when we say we want the justice system to be more responsive to the needs of families? Do we mean better services to address family needs? Do we mean ways for the system to communicate with families and gain their insights about how to help their child? Do we mean opportunities for family members to partner with justice agencies in developing policies and procedures and training staff? Do we mean opportunities for family members to voice opinions in public policy decisions? The answer to all of these questions is yes.

Each of these elements is a component of a solution to help systems respond to the needs of families, but none is sufficient in isolation. To ensure that everyone reading this workbook understands us, here are our definitions.

### The People and Players in the System

**Children** and **youth** are used interchangeably throughout this workbook to refer to all persons under the age of 18, regardless of whether the person is handled by the juvenile or adult court. We also use these terms to refer to young adults who are still under court jurisdiction for a crime committed as a child.

**Family** is broadly defined to include biological, foster, and adoptive parents, including persons in same-sex couples who may be acting as a parent but are not legally related to the child; siblings; grandparents; aunts and uncles; legal guardians and kinship caregivers; and all other persons in the child's support network who are viewed as part of the family system, such as clergy, neighbors, or close family friends. The definition and meaning of family also varies based on cultural backgrounds. To incorporate a cultural lens into this definition of family, we would like readers to keep in mind the following:

A family is the group of individuals who share a cultural world view and take responsibility for one another. Families support each member emotionally, physically, and financially and raise their children and youth within that cultural framework...Each family has a unique culture of its own in addition to the external cultures with which it and individual members affiliate. Each family's culture influences how the family approaches the tasks of daily living (such as food, dress, work, or school). This culture can also direct how a family deals with conflict and makes decisions.<sup>5</sup>

**Family Advocates** refers to family members who help advocate on behalf of an individual youth or family; it is also used to refer to families who are organized to advocate for system transformation. These persons may or may not be affiliated with an organization, and they may or may not be financially compensated for their services.



Do the policy statements in my jurisdiction use this definition of family? If not, who or what aspects are missing?



Here is an example of how one facility, **O.H. Close Youth Correctional Facility** in Stockton, California, defines family for visitation purposes:

*A youth's immediate and extended families are encouraged to visit. Once family members have been approved, they will be placed on the youth's Visiting List. Immediate family members are parents, legal guardians, foster parents, legal wife, children, siblings, and grandparents. Extended family members are any adult related to the youth by blood, adoption, or marriage, and any adult who has an established household or mentoring relationship with the youth. This would include godparents, clergy, teachers, neighbors, and family friends. Also, with advanced approval by the youth's Parole Agent and/or Treatment Team Supervisor, other persons who have an important relationship with the youth may be placed on his approved Visiting List.*

**Family-Run, Family-Led, and Family-Voice Organizations** refers to organizations that specifically advocate on behalf of individual families and are involved in policy and system reform efforts. Although these organizations could also be viewed as system stakeholders, we view these organizations as distinct in that their primary aim is to represent the interests of diverse families.<sup>6</sup>

**System Stakeholders and System Professionals** are used interchangeably to refer to people working for government agencies, quasi-government organizations (e.g., nonprofits that provide services to others under government contracts), as well as traditional child and juvenile advocacy organizations. The justice system is made up of numerous agencies usually involving law enforcement, corrections and probation departments, and juvenile and adult courts. Other agencies such as the child welfare, mental health, education, and human services agencies also play a role in the functioning of the justice system. We use these terms expansively to refer to all of these people who are connected professionally to the functioning of our government systems. Usually these persons are financially compensated for their work.

## Different Concepts Involving Families

The existing literature and vocabulary used to describe efforts for families involved in the justice system have been confusing. We use the following terms:

**Family Engagement** or **Family Involvement** refers to programs, services, efforts, or initiatives to work with families within the existing structure of the current legal and social service delivery system. The examples profiled in this workbook fall within this category. While all of them are important improvements and developments that should be replicated, these approaches are not sufficient to fully transform justice and other child-serving agencies into systems that fully respond to the needs of youth and families.

**Family Partnership** or **Family-System Partnerships** are the terms we use to refer to our aspirational vision for how families and systems will work together in the future. These transformed systems will view families as equal partners and create meaningful opportunities for families to participate in decision-making processes regarding their individual child, and also to have a voice in establishing policies in the justice system. Systems that are able to achieve family partnership are likely to demonstrate the Five Features and adhere to the FAMILY Model proposed in this workbook.

As systems move from engaging and involving families to systems that partner with families, investments in family advocates, specifically the development of family-run organizations to work with justice-system-involved families, will be necessary. **Family Investment** therefore refers to financial and other types of concrete support (e.g., office space, access to training, leadership development) for family-run, family-led, and family-voice organizations to enable family members to participate fully in the FAMILY Model.

We hope that as a result of this process, families will become empowered and act as change agents in their own lives and for the greater community. In the words of Kordnie Jamillia Lee, a former foster youth, **Family Empowerment** is something that families do for themselves: *“Empowerment is not something that is given by those who professionally represent systems of care to youth and families. It is a realization that comes from having a genuine place at the table.”*<sup>7</sup>



### What about children without families?

Some youth come to the attention of justice agencies without biological parents who are able to adequately care for them. But just because a youth isn't being raised by a biological, foster, or adoptive parent, or other relative caregiver, does not mean the child is lacking a family. Instead, it means that the child's family members have not been located or identified.

For youth in these situations, one of the goals of the justice system should be to establish permanency for the child. Permanency means that children will have enduring and lifelong family relationships enabling them to create and maintain a sense of family history and traditions, as well as a racial and ethnic identity.<sup>8</sup> Justice agencies should use **Family Finding** and other permanency-oriented techniques developed for youth in foster care to identify and recruit family members who will be able to be part of the unconditional, permanent support system for these youth. What would this look like in practice? Here is one example:

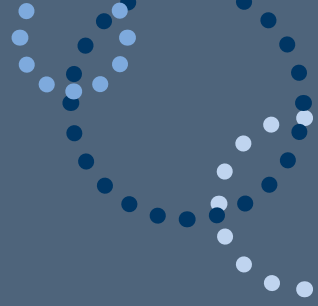
Jesse, a 15-year-old boy, was arrested with some friends after they failed to pay the bill at a local Denny's restaurant. The manager caught them and called the police. While the other kids were picked up by their parents from juvenile hall, Jesse's mom did not want him back. The local runaway and homeless youth shelter was called and took him in. After calling his mom, staff at the shelter learned she had a life-long drug and alcohol problem, and she was now homeless and living with friends. She did not have the ability to care for her son.

With the shelter advocating on Jesse's behalf, the court dropped the charges on Jesse, and the county social services agency agreed to place him with the shelter as an emergency foster care placement. While working with Jesse, staff at the shelter convinced his mom to sign herself into residential treatment and encouraged him to maintain contact with her by visiting with her twice a week.

To come up with a permanent plan for Jesse, the county social service agency convened a team decision-making meeting to bring all Jesse's family and adult friends together to brainstorm where he could live. The Family Finding model was used, and Jesse's "cousin" volunteered to have Jesse live with her. Although not biologically related, the cousin had known Jesse his entire life and he had relationships with her other children. The cousin listed her rules that Jesse had to abide by and he agreed.<sup>9</sup>

# PART ONE

## FAMILIES & SYSTEMS



*“Family members are still the minority. They feel like there is a space to be heard but they are not being listened to as equals.”*

### WHY FAMILIES MATTER

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The evidence base for making the justice system more responsive to the needs of families draws upon research from a variety of disciplines, including early childhood development, education, mental health, physical health, child welfare, and juvenile justice.<sup>10</sup> Leading experts in the family engagement movement offer three primary reasons why involving families makes a difference in addressing the treatment needs of children.

First, “parents have special knowledge that can enhance the design of interventions and treatments.”<sup>11</sup> Parents typically have more contact with their children than any system professional, and they can share cultural knowledge that is critical to contextualizing interventions to make them effective.<sup>12</sup> In other words, families know what is likely to work best with their children and which approaches probably won’t.

Second, “parents can promote healthy development, can prevent problems from developing or exacerbating, and can implement effective treatment protocols and educational interventions.”<sup>13</sup> When families are involved, they can monitor what is happening with their children, keep youth on track, and inform system professionals when things aren’t working out as expected.

Third, research demonstrates that outcomes improve when family and youth are active participants in their own treatment,<sup>14</sup> particularly when youth and families are given leadership roles in making treatment decisions.<sup>15</sup> This is perhaps the area that causes the most conflict for justice system professionals, because they are often forced by state law or local policy to impose specific sanctions or punishments depending on the type of offense a youth has been charged with.

While the research is clear that families and youth have improved outcomes when they are active participants in decision-making, these perspectives have been slow to filter down to decision-making practices in the justice system. Part of the reason is due to the rigid nature of the criminal law; however, we also believe that a major contributing reason for this failure is due to existing myths about families.

The American Academy of Child and Adolescent Psychiatry (AACAP) approved a policy statement in October 2009 explicitly endorsing family and youth participation in clinical decision-making:

Family and youth involvement is essential at each phase of the treatment process, including assessment, treatment planning, implementation, monitoring, and outcome evaluation. Family and youth partnership also needs to inform decision making at the policy and systems level. Family priorities and resources must be identified and should drive care. Throughout the treatment process families and youth must:

- have the right to be involved in making decisions regarding providers and others involved in the treatment team;
- be encouraged to express preferences, needs, priorities, and disagreements;
- collaborate actively in treatment plan development and in identifying desired goals and outcomes;
- be given the best knowledge and information to make decisions;
- make joint decisions with their treatment team; and
- participate actively in monitoring treatment outcomes and modifying treatment.<sup>16</sup>

## The Myth of the “Dysfunctional Family”

The stereotype of the bad, thoughtless, uncaring parent is pervasive in society. As scholar-advocates Sylvia Ann Hewlett and Cornel West note in their book, *The War Against Parents*, “Hollywood’s emphasis on incompetent or abusive parents has become so pervasive that we have been lulled into taking this kind of parent-bashing for granted as a harmless quirk of mass entertainment.”<sup>17</sup> Yet like all stereo-

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*When our child entered the system, it was clear to my family that we had already been stigmatized as “bad parents.” That somehow we were responsible for our child getting involved in the system. This label stayed with us through every step of the process.*<sup>18</sup>

.....

types, they lead us to make inappropriate assumptions that often lead to more harm than good. When it comes to thinking about children who commit crimes, many people assume the “bad parent” has caused the child’s delinquency.

The academic literature suggests a link between parenting behaviors and criminal justice involvement,<sup>19</sup> and many readers know of children who have committed crimes after having been victimized themselves. The laudable efforts to address the needs of “crossover youth”—

youth in the child welfare system who end up in the justice system—may also have inadvertently reinforced a view that parents of children involved in the justice system have abused or neglected their children.<sup>20</sup> Even for the limited group of these families, government policies and public and private agencies have too often failed to provide equal access to resources that might have addressed some of the underlying economic needs or critical social and emotional supports necessary to break the cycle.<sup>21</sup> According to Hewlett and West,

Starting in the late 1960s, successive administrations, both Republican and Democrat, have pulled the rug from under adults raising children, progressively dismantling programs and policies that underpin family life. Indeed, in some instances government has intervened with the deliberate intention of disabling and displacing moms and dads.<sup>22</sup>

Several misconceptions are pervasive in the field of juvenile justice today that promote the myth that coercive justice agencies are needed to “fix” families, including beliefs that: families don’t care about their children; families are irresponsible and condone their child’s behavior; and families don’t have anything to offer to the experts in the system who know better. These common beliefs infect the entire justice system and society overall. Families themselves often hold negative views of other families in the system at first, contributing to the stigma and isolation. However, when we are able to see the stereotypes for what they are, we can see past the misconceptions and move forward.

## How do we know the “dysfunctional family” is a myth?

First, the reason children are involved in the justice system has more to do with policing and diversion practices than it is a reflection of the actual troublesome behaviors that youth get into.<sup>23</sup> Research shows that nearly all children engage in delinquent activities at some point during their development.<sup>24</sup> If children who engage in delinquent activity come from dysfunctional families, then we are all dysfunctional.

Engaging in delinquent behaviors is a normal part of the adolescent experience, a view confirmed by adolescent self-report data and adolescent brain development research.<sup>25</sup> Many readers of this workbook will recall participating in an activity as a child that is criminalized today. Perhaps you were involved in a schoolyard fight or experimented with drugs or alcohol? Today these activities are labeled assault, drug possession, and public intoxication. You may even have been involved in more serious behaviors, such as former Senator Alan Simpson, who as a teenager “rode aimlessly around town, shot things up, started fires and generally raised hell.”<sup>26</sup> Yet very few readers will apply their image of the “bad parent” to their own family experience.

Second, while research suggests that poor family functioning creates risk factors for youth, the same research shows that families can serve as protective factors as well.<sup>27</sup> The overwhelming majority of “evidence-based programs” that exist for children, and juvenile justice specifically, are programs that build explicitly upon a family’s strengths. If there is one clear theme about what makes juvenile justice programs for children effective, it is that they involve the family.<sup>28</sup> Families are the solution to addressing the needs of children who are at risk of entering or already have encountered the justice system.



Most jurisdictions have youth arrest data, and many jurisdictions collect self-report data from adolescents as well. Does your jurisdiction collect this information? What does it tell you?



Does the jurisdiction have any data about the proportion of youth coming from families with intergenerational contact with the justice system? Crossover youth? What does the data tell you?

Third, all available evidence demonstrates that while a small proportion of families of youth in the justice system have extensive criminal justice histories or issues with abuse and neglect, the overwhelming majority of families do not. The studies on the concentration of offenders in families suggest that less than 8% of families have extensive intergenerational contact with the justice system.<sup>29</sup> Further, while co-offending by siblings was common, “[t]here was no evidence that parents directly encouraged their children to commit crimes or taught them criminal techniques; on the contrary, a criminal father usually disapproved of his son’s offending.”<sup>30</sup>

Neither have the majority of children in the system been abused.<sup>31</sup> According to the Survey of Youth in Residential Placement, most children (70%) have not been abused.<sup>32</sup>

Separate from stereotypes about families, there is another common view focusing on the need to “help” poor families through the juvenile court system. Many people believe poverty causes youth to commit crimes and prevents families from being able to properly care for their children. Their logic is that these families are not “bad,” but because they are poor the court needs to step in to regulate the family. Professor and legal scholar Dorothy Roberts has written about the connection between poverty, crime, and child abuse:

“[I do not view] poor people who commit crimes as incapable of conforming to the law. Denying people’s moral agency treats them as less than human. It also supports repressive social policies, including tougher criminal sanctions, that are defended precisely by the claim that poverty and the culture it breeds makes people dangerous. The notion that oppression strips its victims of the faculties of responsible, autonomous beings perversely legitimates their continued subjugation.”<sup>33</sup>

There is no doubt that the failure to have adequate economic resources places a strain on families that compromises their ability to care for their children in a manner they might otherwise choose if such resources were available. Common sense suggests that families who are unable to meet the basic needs in the home, such as providing adequate food and housing conditions for their children, are unlikely to be able to focus on any therapeutic goals.<sup>34</sup> The solution, however, is not to funnel resources into a coercive justice system, but rather to redirect these resources in such a way that court monitoring will be unnecessary.

Families of limited economic means want the same kind of justice that wealthier families get when their children get in trouble. With access to high-quality legal representation, children from wealthier families are more likely to be diverted away from the justice system into appropriate education or mental health services to address the youth’s needs without being saddled with a criminal record.

Rather than relying on misconceptions about families, system professionals will achieve better outcomes for youth and public safety by approaching families with the following positive presumptions (see DuPage County for an example of how a justice agency has incorporated these presumptions into its work):

1. All families care about their children and can be trusted to make good decisions on their children’s behalf.



2. All families have strengths to build upon, including families with mental health or substance abuse issues or prior involvement with the criminal justice and child welfare systems.
3. All families want to make sure their children grow up safe and free from entering the justice system, and for those children who are already part of the system, free from continued justice system involvement.
4. All families have dreams for their children and want them to succeed in all aspects of adult life. Families hold onto these dreams even for children who are part of the justice system, and they want the justice system to help their children fulfill these dreams.



What policy statements in the jurisdiction should be updated to reflect these presumptions?

### An Excerpt from DuPage County's Efforts on Family Involvement<sup>35</sup>



The Parental Involvement in the Juvenile Justice System focus is one in which **families are engaged, involved and valued.**

It is our belief that the vast majority of parents care about their children, and parent them to the best of their ability. It is also our belief that some parents, due to their life experiences, current circumstances, skill level, socioeconomic status, degree of social support, special needs of their children, and other factors, could benefit from receiving additional information about effective parenting (e.g., child development and the changing role of parents), skill building, resources, and social support from both professionals and other parents.

It is also our belief that the vast majority of children and adolescents want to please their parents, and are looking to them for love, approval, guidance, limit-setting, and consistency. When these needs are not sufficiently met, children may display problematic behaviors in order to call attention to these unmet needs.

It is our goal to assist parents throughout their child's involvement in the juvenile justice system through engagement and involvement as we believe that parents have the greatest opportunity to positively impact the behavior of their child.

#### **Core Concepts of Family Centered Justice include:**

##### **Dignity and Respect**

Juvenile justice system staff listens to and honors family perspectives and choices. Family knowledge, values, beliefs and cultural backgrounds are incorporated into the planning and delivery of services.

### Information Sharing

Juvenile justice system staff communicates and shares information with families in ways that are affirming and useful. Families receive timely, complete and accurate information in order to effectively participate in decision-making.

### Participation

Families are supported in participating in services and decision-making and are empowered to increase their level of participation.

### Collaboration

Families, juvenile justice system staff, and justice system leaders collaborate in program and policy development, implementation and evaluation, and in professional education, as well as in the delivery of services.

## COMMON GROUND ON BARRIERS TO FAMILY INVOLVEMENT

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We are at the beginning of a movement to change the way families are treated by the justice system. Moving forward together requires understanding the challenges that families face when dealing with the justice system, as well as appreciating the difficulties that system stakeholders have in responding to their needs. To gather both perspectives, we conducted focus groups with families and surveys of justice system stakeholders. Several common themes emerge from these two groups who might otherwise be thought to hold opposing viewpoints.

First, families and justice system stakeholders both acknowledge that the justice system blames parents for their children's behavior. As a result, the lack of trust and animosity that exists between families and system stakeholders makes it difficult for the system to engage families.

Second, families and system professionals agree that families lack basic information about the process of the court system, their legal rights, and the role of the various players in the system, which prevents effectively addressing any treatment needs of the child.

Third, families and systems stakeholders also realize that families often lack the economic and social supports necessary to meet the needs of their children and fully participate in the existing activities offered by the system. To make matters worse, justice agencies are not staffed or resourced appropriately to resolve these problems.

The good news is that families and system stakeholders also agree on solutions. With access to knowledge about their rights, an opportunity to participate in decision-making at all levels, and support from other families and staff, families and youth can have positive outcomes.



**Tip:** Look for areas where people agree on changes that need to be made in the jurisdiction.

## Family Perspectives on the Justice System

In partnership with the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the Education Development Center, we coordinated a series of focus groups in 2011 to better understand the concerns and frustrations of families involved with the justice system. The results are sobering, and they largely mirror findings from focus groups conducted with parents across the country for more than the past decade.<sup>36</sup>

The key findings from the focus groups are:

1. The justice system fails to communicate properly with families. Families lack basic information about the process of the court system, the role of the various players in the system, and their legal rights.
2. The justice system blames parents for their children's behavior and perpetuates feelings of guilt, shame, and isolation among families.
3. Families recognize that children are unfairly treated because of race, ethnicity, and class.
4. Families who know their children are at risk often try to access support or services but are unable to get them. Families often turn to the justice system seeking help.
5. Once in the system, youth are not given the appropriate services or support to help them get back on track.
6. Families' experiences are not all negative. When families are actively engaged, have access to knowledge about their rights, an opportunity to participate in developing treatment plans for their children, and support from other families and staff, they consistently speak of the positive experiences they have had with the system.



### Lack of Communication and Knowledge

*"Our son got into a situation and was incarcerated. As parents, we had no idea what to do. We needed information. We needed to share information. Parents need guidance."<sup>37</sup>*

*"When we first got involved in the system, the thing that baffled us was the lack of communication. At no point did anyone in authority tell us what was happening with our child. We were uninformed and didn't know the questions to ask and we didn't know our rights; worse, we were meant to feel like we didn't have any. Our child was transferred from one facility to another and no one ever told us where they were taking him."*

*"I didn't have family, friends, or anyone who had been in the system to help us out. So for us it was a whole lot of unknowns, frustrations, time delays that we didn't know how to handle. We didn't know what we could do, what we couldn't do. Now we hear things we should have asked but at the time I didn't know I could ask."*



How does the jurisdiction collect data about family member perceptions of the system (e.g., interviews, surveys, focus groups)?



## Stigma and Shame

*"You can't talk with another person about it. You are ashamed, and they are judging you. They don't know you. It's hard to tell family – they are asking, 'what happened?'"*

*"People would say you're not a good parent or you're not doing what you need to be doing. Heck, I was a single parent; I worked every day 8 to 5 like most people do. I got off work and took my kid to tutoring, little league, whatever it is that needed to be done after that. I went home, prepared a meal. I got him prepared, we did homework. I got him prepared for the next day for school. I did the same routine that every other parent did, you know, that had two parents in the house. I felt like I was being a good mother."*

*"I feel like there is a shame and stigma that you live with as a parent. [On the outside, you are] a very successful, happy family; but on the inside, when you get in your home, and your home is the worst place to be in the world. [It is] an unbelievable feeling not to want to go home, or not to know where your child is for 5, 6, or 7 days at a time."*



## Race, Ethnicity, and Class Disparities

*"I grew up in Philadelphia and we used to get locked up for the smallest things. As an adult, I moved to what I thought was a 'better' community but I quickly learned that it had nothing to do with where I lived. Instead, it had to do with race. In my view, kids of color get arrested more than other kids."*

*"My son was walking home from school and he was curious about a fight that was going on. He went to where the fight was occurring and when the police arrived my son was arrested and accused of being part of gang activity. It was three hours before we as the parents were notified. Racial disparity in [the County] is unbelievable."*

*"I am a foster parent and I was also a child who experienced many systems, including the justice system. I see the issues of poverty, race, lack of income, lack of knowledge as adding to the problem of why our kids are ending up in systems that don't work."*

*"The system is unfair and there is no built-in protection to prevent a youth from being judged because of the color of his skin."*



## Lack of Services and Support in the Community

*"I came into this because my son at 12 got into a fight at school. The police were called in. As a single parent of three I didn't have access to resources. I made a good living but too much for assistance."*



**Tip:** Consider hosting your own focus group of family members. See Tool 2 in this workbook.

*“I was one of those parents that tried to be preemptive. I saw my son getting into trouble and called a friend who worked in the correctional system.”*

*“We were told that since we lived in a rural area and mental health services were scarce that it probably would be best for our child to be locked up because she’ll get services faster.”*

*“I went [to the justice system] cause I felt like I had no other choice. I thought I had exhausted all my choices, all of my options. I felt like I had nowhere else to go.”*

*“I have an education, I have a supportive family, I have a great job and we sent him to a private military school for two years at the tune of \$25,000 a year to give him the structure and the discipline that people say he needed. After that I went to the juvenile justice system and I filled out a warrant on my son because he was completely out of control.”*



### Lack of Services and Support in the Justice System

*“We thought that when our son was sent to detention that this might scare him from continuing down the path he was going. Nothing is further from the truth. We saw firsthand the damage that detention did to our son.”*

*“In 8<sup>th</sup> grade my son received counseling that worked really well for him. Years later, while locked in a detention facility, my son recognized he needed therapy and requested it. He was told that they could provide him with counseling once a month. We all understand that for therapy to be effective, it needs to occur more than once a month. I believe if my son were given the proper counseling when he asked for it, he would not be struggling with some of the issues he has today.”*



### Some Families Have Positive Experiences

*“I started to educate myself about the system. I made myself well-known to all players in every aspect of my son’s detention experience. Today, I still have relationships with many law enforcement, judges, and social workers who worked with my son. When I found out my rights, I was no longer afraid and was able to deal with the system.”*

*“The staff was very supportive. They took into consideration the burdens that we faced and they gave us an opportunity to determine ways to overcome those burdens. They did include the family in my son’s treatment plan and they followed through with services that helped our son.”*



Which of these reasons  
do you agree with?  
Are there others you  
would add?

## Justice System Stakeholder Perspectives on Families

At the beginning of 2012, we surveyed system stakeholders who are part of two networks, the Annie E. Casey Foundation’s Juvenile Detention Alternative Initiative (JDAI) network made up primarily of county-level juvenile justice agencies and the Council of Juvenile Correctional Administrators’ (CJCA) network of state-level juvenile justice agency officials. The people in these two networks have dedicated their lives to making a difference for the youth in their communities; we wanted to know the barriers they face in involving families and to gather their best ideas about how they have started to do better.

The responses from systems across the country – rural, suburban, and urban jurisdictions alike – showed remarkable similarities. More importantly, the results of the survey suggest significant common ground between families and system stakeholders upon which to build.

### Why do system stakeholders find it hard to engage families?

#### Reason #1: Lack of Trust

A key challenge to working with families is the lack of trust between families and system stakeholders. When asked to identify “the most challenging or frustrating aspects of working to engage families,” system stakeholders respond clearly that “*Families do not trust the system.*”<sup>38</sup> Stakeholders describe families as having an “us versus them” mentality, viewing court personnel and other staff as enemies rather than allies. A few stakeholders attribute this perception to prior negative experiences families have had with other public agencies. The tension between families and staff has meant that staff perceive some family members as hostile, disrespectful, or as one JDAI coordinator says, some families have “*an agenda against the system. It seems as though we can never do anything to satisfy their demands.*” The lack of trust has concrete impacts on individual cases. A senior probation manager notes: “*Parents are not reporting problems within the home for fear of prolonged involvement in the court system.*”

#### Reason #2: Lack of Adequate Resources

Families who lack adequate economic resources and other social supports have limited ability to fully engage or comply with system requirements. Four specific barriers are repeatedly cited by system stakeholders.

First, stakeholders note that many family members have work hours that conflict with court processes or other treatment meetings or programs. Many family members work multiple jobs, have shift work with odd hours, or have unreliable work schedules. As one detention specialist notes: “*The court hearing schedule is not friendly to the parents, meaning a parent may sit all day waiting for the hearing to be held, costing them a day’s pay, and therefore it is likely that they are less willing to be cooperative.*”

Second, lack of economic resources directly limits the ability of families to obtain services for their children if costs are involved. System stakeholders also note that economic distress indirectly affects staff by hindering their ability to keep in regular contact with family members because of frequent moves and phone number changes.

### **The Economic Impact of Justice System Involvement on Families**

Many families involved in the justice system live in poverty or near poverty. The justice system often exacerbates the economic vulnerability of families by placing added economic burdens on families through the use of a variety of court- and incarceration-related fees and costs. A recent survey of more than 1,000 parents and family members of youth involved in the justice system found that more than half of these families survive on less than \$25,000 per year, with just 6% reporting incomes over the median household income in America of \$50,000 per year. Despite these limited financial resources, nearly two-thirds reported spending more than \$125 per month on system costs, one-third spent more than \$500 per month, and nearly one-fifth had costs over \$1,000 per month. The net result is that approximately one-third of families have to make difficult choices between paying for basic necessities or making court-related payments.<sup>39</sup>

Third, many family members lack their own transportation and public transportation is often limited. Transportation is particularly challenging when youth are in residential settings located far from home.

Finally, system stakeholders note that families often need a comprehensive array of resources and services that are often lacking in communities regardless of whether families have the ability to pay for them. Others indicate that resources may be available, but offered by a different agency. In these situations, justice agencies express that their hands are often tied as they have no authority to compel services provided by a different agency.

### **Reason #3: Families Do Not Understand the System**

System stakeholders say that family members lack an understanding of how the system operates and of the specific role they can play in addressing their child's issues. Families are often mystified and overwhelmed by the system, with another detention specialist noting that *"Parents often don't understand how serious the process is."*

System stakeholders also express how difficult it can be to explain the system to families. In their jobs, system professionals tend to use a lot of jargon with which families are unfamiliar. One JDAI coordinator comments that it is *"difficult to convey complex court policy and budget issues that affect services."* Families

## **Families of children in residential care have this to say about hard-to-engage families:**

*Have you ever given up on a family? Perhaps because the parent was not able to stay sober or refused to acknowledge his/her own mental illness? Maybe the family was difficult, angry, or demanding. Maybe they just didn't show up.*

*What is behind the perceived resistance? Many of us have been that parent. We are seen only as the parent of the child in treatment, and yet our child in residential is just one aspect of our life. What is disguised as 'resistance' may be fatigue, or we may need to focus on our other children while this child is in residential. We may need to deal with trauma or our own mental health or substance abuse issues. We need to keep a job, a roof over our heads, and food on the table. We may feel as though we are failing miserably at all of these responsibilities and be at the end of our rope...*

*Please remember that when families are vulnerable it will take extra effort on your part to see through what providers sometimes call 'resistance.' It is not resistance, it is sadness and shame and feeling as if we are drowning or being overwhelmed and needing help and not knowing how to ask or find it. We are grieving and experiencing trauma and need an approach that is trauma informed and cognizant of our stages of grief and transformation...*

*When families come to you they are in crisis and they need relief, stabilization, and support. Families need you to meet them where they are, validate their experiences and recognize their strengths. They need to be able to be hopeful. Please don't give up and don't judge and don't label us as 'resistant' or 'manipulative' or 'uncaring.'*

*Excerpted from: Building Bridges Initiative, Engage Us: A Guide Written by Families for Residential Providers (2012).*

also do not understand their role or responsibilities in the change process, what is expected of them, or the resources that are available and how to use them.

### **Reason #4: Hard-to-Serve Families**

While some system stakeholders cite “*parents who don't care*” or parents who “*enable their child's behavior*” as barriers, others identify specific populations of families that are perceived as hard to serve. These are mainly parents with mental health or drug and alcohol issues themselves and families with multi-generational criminal justice system involvement. For example, one program analyst states that some “*parents or family members are as delinquent and substance abusing as the youth and do not enforce the rules.*” Another administrator of a state juvenile corrections agency comments that the “*cycles of violence, poverty and chemical dependency*” have prevented some family members from engaging with the youth.



## What system-level barriers need to be addressed to serve families more effectively?

In addition to addressing the challenges raised above, system stakeholders also identified specific macro-level barriers that need to be addressed to enable the justice system to better meet the needs of families.

### Barrier #1: Juvenile Justice System Culture

First, and perhaps most important, system stakeholders recognize the need for a change in the underlying philosophy and culture of the justice system. System stakeholders note that stereotypes and misperceptions about the needs and strengths of families have made it difficult to get the entire agency working from a common philosophy that recognizes families as partners. For example, one director of a state juvenile corrections agency says we “*need to break down thoughts such as ‘the family caused the problem so why should they have a say?’*”<sup>40</sup> Even when agencies do make space for family members in system decision-making and meetings, one program coordinator notes that “*Family members are still the minority. They feel like there is a space to be heard but they are not being listened to as equals.*”

Creating the cultural change of agencies will involve overcoming the fear of change. For system professionals who have dedicated their lives to working to help youth in their community and see themselves as experts, this will involve a significant reexamination of the roles and expectations for all of the players in the system. System stakeholders explicitly comment on the “*reluctance to give up any control or share power.*” Judges will have to be “[*open*] to the notion that families have strengths and sometimes know best what will work to turn their children’s lives around.” Probation staff also will need to change focus from being “*enforcers of court orders and brokers of services rather than providers of services.*”

### Barrier #2: Lack of Research, Training, and Tools

Systems need a research base, training, and tools to implement family-focused practice. This workbook aims to fill part of this gap. Currently there is no set of model laws or policies at the federal, state, and local levels that supports family engagement. In addition, most justice systems do not have the staff and organizational support structures needed to effectively and efficiently involve family members.

Some system stakeholders suggest the need to have specific employees assigned to address family involvement. Given the continual turnover in the youth and families served by the justice system, one JDAI coordinator states that “*It’s time-consuming to keep what are essentially volunteers engaged; we constantly have to recruit and train new volunteers.*” Another senior case manager notes that there is an “*expectation that a family will be able to be involved for long periods of time when in fact we need to engage several families so as not to overwhelm them with meetings.*”

Others point to the difficulty in engaging families because systems frequently lack the resources to offer compensation or other motivating enticements to get family members engaged: “*We get paid and they don’t and this creates an imbalance in incentives and ability to participate.*”

### **Barrier #3: Funding**

Lack of funding is a chronic issue for all justice-related programs and services. Agencies are dealing with cutbacks, and staff are being asked to do more with less. Systems need a dedicated funding stream to provide resources to state and local efforts on family engagement, particularly to be able to hire staff to coordinate family engagement efforts and staff to work specifically with families.

### **Barrier #4: Interagency Coordination and Information Sharing**

Justice systems need additional support to address the challenges associated with interagency coordination and information sharing. Effectively meeting the needs of youth and families often means accessing services and supports (or addressing challenges and barriers) from other governmental agencies such as education, health, child welfare, housing, employment, and welfare systems. Understanding and reconciling different agency policies and procedures, specifically regarding confidentiality rules, is a major hurdle that systems must overcome to better serve families.

### **Barrier #5: Gaps in Leadership**

In light of the barriers described above, leadership is needed to elevate the importance of family engagement. As one director of a juvenile probation department comments, justice systems need “*a champion at a high level to make sure this happens.*” Another notes that it is “*difficult to dedicate staffing and budget resources to family involvement; it often gets pushed down the priority list.*” Finally, another probation officer states the need for local leaders who could cultivate “*the support of all community leaders [to] be united around our needs and having a common agenda.*”

## **What are the benefits of involving families?**

We also asked system stakeholders to identify the benefits that have already been achieved in their jurisdictions as a result of their family engagement efforts. The survey results confirm the research findings described earlier that families and youth have improved outcomes when they are active participants in their own treatment and given a greater role in decision-making. While the practices that each jurisdiction uses to involve families vary, system professionals report several concrete benefits from their efforts.

### **Benefit #1: Youth have Greater Success**

If justice systems want better outcomes for the youth in their care, it is clear that involving families helps achieve this goal. Two quotes from directors of state corrections agencies demonstrate why: “*Overall the kids are happier whenever we involve their parents*” and “*Students are more likely to engage in treatment when families are involved*”.<sup>41</sup>

## **Benefit #2: Lower Recidivism**

Of critical importance to justice agencies, system professionals who have engaged families believe their efforts have led to improved public safety outcomes. One senior case manager notes that *“the more involved the family is, the less likely the youth is to recidivate.”* Others say that working with families *“usually results in more lasting change.”* System professionals also say that efforts to involve families have had a positive fiscal impact on their system as children are not in the system as long, and there is thus a reduced use of costly residential placements.

## **Benefit #3: Increased Trust and Open Communication**

System stakeholders report that family involvement efforts have reduced stigma, which has decreased the adversarial nature and suspicion between system stakeholders and families. Efforts to educate family members about the justice system have eased anxiety and helped to engage family members. One county probation director comments that *“Families seem relieved to find information about the court and how things are handled.”* Another notes, *“Families are more engaged because they understand the system better.”* Family engagement helps *“Families feel part of the process not the problem.”* As a result, families are more forthcoming about family issues and more likely to seek out support when problems arise because they see the *“system as a support and not just punishment.”*

## **Benefit #4: Families Take Responsibility for Addressing Youth Concerns**

Instead of complaining, fighting, or resisting staff, engaged families are *“more likely to be cooperative and supportive of the probation officer and court”* and *“more willing to partner with us to bring about change.”* In addition, engaged parents mean that *“Parents are less likely to expect probation/parole to ‘fix’ their child.”* Youth are also held more accountable because once the family, teachers, and other court and system personnel are all on the same page, children can’t manipulate the adults against each other. Working with families also means that *“Families use tools with younger children not yet in the ‘system.’”*

## **Benefit #5: Smoother Transition Back to the Community**

For youth who spend time in a residential setting, system stakeholders note that maintaining family contact is critical to ensuring a smooth transition back into the community. Engaging families in the change process means that *“Family support [is available] to help provide corrective action to youth when needed.”*

## **Benefit #6: Better Case Plans and Greater Compliance with System Requirements**

Family involvement efforts in juvenile justice have led to the development of better case plans. Families are able to identify and communicate to staff the youth’s needs, risks, and strengths more quickly than can other professionals in the system. As a result, staff connect youth and families to relevant community resources that will meet actual family needs. By helping to choose between services and



If the jurisdiction has already worked on family engagement efforts, do you agree with the benefits listed here? Are there others you would add to this list?

service providers, one probation supervisor notes that families have an increased comfort level with the services and behavioral interventions used with their children. Finally, stakeholders indicate that *“Parents that participate in the treatment planning process seem to have more buy-in and commitment to the goals.”* Families also possess a *“greater understanding of consequences associated with non-compliance”* and demonstrate more follow through.

### **Benefit #7: Improved Agency Culture and Increased Staff Morale**

Family engagement efforts have led to organizational culture changes for staff and the system overall. Working with families has led to *“more solution-focused dialogue.”* Staff develop a greater awareness of family needs and strengths. The diverse strategies and efforts used for working with families have also made it easier and safer for staff to do their jobs. Reduced conflict between staff, providers, and families has often translated into a better work environment for staff and providers as demonstrated by comments such as *“Staff feel supported since there is less tension with the family”* or *“an overall improvement in morale by service providers because of less conflict with families.”*

### **Benefit #8: Greater Interagency and Community Collaboration**

Efforts to address family needs in a holistic manner have also led to a positive byproduct of increased engagement with other child-serving agencies and to the development of better services for more specific needs via interagency cooperation. As a result, justice systems have a better understanding of the cross-system issues facing families. One JDAI coordinator mentions that *“Involving community builds a sense of shared responsibility for court-involved youth and families.”*

### **Benefit #9: Increased Quality of Policies and Providers**

System professionals also attribute family engagement efforts to having a positive impact on the development of system-wide policies overall. System stakeholders believe that a better understanding of the needs of families has led to a higher quality of policy development and changes in protocol. One probation director notes that *“Family members offer a fresh or unique perspective on issues involving their kids.”* Another case manager comments that *“Input by parents and their experience in the Juvenile Justice system enables us to formulate new policies and procedures to make our system more effective.”* Family feedback also has been a useful source of information for quality assurance activities. For example, some agencies conduct quality assurance calls of family members to learn about how probation officers are interacting with clients and about the treatment they are receiving from various service providers.

# PART TWO

## FIVE FEATURES OF A TRANSFORMED JUSTICE SYSTEM

*“I want a system that acts upon the belief that youth need families, not facilities.”*

Families want to help create a new vision for how government services, both justice and non-justice agencies alike, respond to children and families. As mentioned at the outset of this workbook, families seek more than just a greater role in the system as it exists today. Families want to be partners in making practice and policy-level changes across all stages of the justice system. Fortunately, families want many of the same broader policy reforms that juvenile justice system stakeholders have already been working to achieve.

The Youth Transition Funders Group, a network of grantmakers whose mission is to help all youth make a successful transition to adulthood by age 25, has recently put forward a clear and concise list of the comprehensive changes needed in the current system. Justice systems need to:

1. Divert youth from the justice system
2. Reduce institutionalization
3. Eliminate racial and ethnic disparity
4. Ensure access to quality counsel
5. Create a range of effective community-based programs
6. Recognize and serve youth with specialized needs
7. Build small rehabilitative facilities
8. Improve aftercare and reentry
9. Engage youth, family, and community
10. Keep youth out of adult courts, jails and prisons.<sup>42</sup>

Efforts to engage families is appropriately viewed as a separate strategy deserving of intentional effort and attention; however, we believe that involving families is actually central to all of these reform efforts. For example, at the heart of efforts to increase diversion, reduce the use of institutionalized placements, and create community-based programs, are efforts to help address youth needs within the context of their family and surrounding community.

While an explicit evidence base for family engagement practices in juvenile justice is still developing, systems should move forward from the research that exists today to make law and policy changes to implement and expand access to programs and services that families want and that we know achieve better outcomes for youth and public safety.

To support families involved in the justice system, communities should:

1. Support families before and after challenges arise;
2. Invest in peer support for families from the moment a youth is arrested through exit from the system;
3. Involve families in decision-making processes to hold youth accountable and keep the public safe;
4. Strengthen family-youth bonds with culturally-competent treatment options and approaches; and
5. Prepare youth for successful futures.

## The My-Child Test



This is an excerpt from an address given by Bart Lubow, director of the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI), at the 2012 JDAI National Inter-site Conference in Houston, Texas.<sup>43</sup>

*[L]et me share what I consider the beliefs most critical to a system for my kids.*

*I want a system that gets it that kids are not simply small adults, but largely different creatures, still maturing, less culpable, more amenable to change. Such a system would be loath to prosecute children as adults, to incarcerate kids with adults, to sentence them to life without parole, no matter what they've done.*

*I want a system that acts upon the belief that youth need families, not facilities, a system that understands that whenever we disrupt a family, we lessen the odds that that youth will succeed as an adult. On the practice level, this means a system that recognizes family strengths and devotes its resources to strengthening families; a system that learns from families, involves them in day-to-day operational decisions regarding their children, and includes them in policy and resource discussions. I want a family-focused system.*

*I want a juvenile justice system in which all children—regardless of race, ethnicity, gender or sexual orientation—are treated equally, without prejudice, but with competencies that recognize these differences and their implications. And I want juvenile justice personnel to do more than level the playing field once kids get into their system. I want those people to use their personal experiences seeing youth move through what the Children's Defense Fund calls the "cradle to prison pipeline" to disrupt that pipeline, to demand equitable treatment throughout the life course for America's most disadvantaged and fragile kids.*

*I want to know that the rights of my child are guarded at least as zealously as the rights of adults, and hopefully more. I'm not interested in hearing that, because the system is supposed to be based upon the best interests of the child, that my kid doesn't need a lawyer, much less the fierce defender of liberty that youth ought to have when confronting the vast power of the state. Those of you who think this isn't a big problem need only look as far as Luzerne County, Pennsylvania, for evidence of the consequences of indifference to this principle.*

*I want a system that's devoted to youth who pose genuine public safety risks, not a system that operates with a huge net, pulling in youth who don't need court interventions and who the research indicates quite clearly are better off without system intervention. But I want this not simply because I don't want my kids' adolescent behavior to be criminalized, but because I want juvenile justice to succeed with that much smaller number of youth who we now confine in these devilish institutions.*

*Finally, I want juvenile corrections to stop trying to justify itself as a jobs program or economic development plan. Juvenile justice systems have and should take the lead in demonstrating to the nation that justice reinvestment strategies that shift public resources from counter-productive institutions to community-based services can and do work, including demonstrating that the economic dislocations that those opposed to closing facilities fear can be humanely and fairly managed.*

*Yes, there are other points to add to this list, but I think you all can get the message. We need more than great policies and procedures; we need to clarify what we hold dear and we need to demand that of ourselves and for our children.*

# 1. FAMILIES ARE SUPPORTED BEFORE AND AFTER CHALLENGES ARISE

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No two communities are alike, and the reasons that youth have contact with the justice system or get involved in delinquent behaviors will be unique to each individual youth and broader community factors. However, by looking closely at the youth who have contact with agencies involved in the justice system, a few patterns are likely to emerge from which the community can begin to develop a comprehensive prevention strategy for providing positive interventions for youth and families at risk of system involvement. While the term “prevention” is often associated with early childhood interventions such as home visiting programs and preschool, these are not the programs we are referring to. We encourage jurisdictions to examine the specific pathways leading youth to have direct contact with justice system agencies to identify moments of opportunity to intervene by examining the services offered to all families and those known to be at-risk of justice system involvement; school-based strategies to dismantle the school-to-prison pipeline; and services at the point of arrest.



## Supporting Families from the Start

Many youth come to the attention of justice agencies because of youth-adult conflicts within neighborhoods. Adults call the police to deal with youth behaviors that the adults find annoying, disrespectful, or threatening. For example, store owners may call the police to enforce anti-loitering laws to prevent youth from congregating outside of their stores. Neighbors may call the police if youth play their music too loud late at night. Rather than resolve the underlying conflict, police are often called to disperse the youth. The short-term fix of involving the police to resolve these disputes often has long-term negative consequences for the youth and for the stability of the community overall.

Jurisdictions can follow the lead of the **Community Conferencing Center in Baltimore, Maryland**, and invest in conflict resolution programs to resolve conflicts without justice system involvement. The Center is a conflict transformation and community justice organization that provides ways for people to resolve conflicts and crime. The Center’s work has been recognized nationally and internationally for its use of restorative justice practices.<sup>44</sup> Here is an example of how community conferencing works to resolve local neighborhood tensions:

Adult residents in a Baltimore community were upset that youth were playing basketball in the local alley. A community organizer called the Community Conferencing Center to ask for assistance. A Community Conferencing Facilitator convened a group of 20 residents, including four young people and their parents, to talk about their concerns. One resident complained, *“The noise, profanity, disrespectful attitudes, and the trash thrown in the alley while ball*





If you were a parent or caregiver in the community and had questions about how to help your child, who would you call? What kind of information would you expect or want them to have?

*playing has to stop!”* The youth responded that no one ever asked them to be quieter; instead, the cops were called. Through the discussion, parents explained to the other residents why they wanted their children to play in the alley. *“The streets have become so dangerous...I don’t want to be constantly worrying about where he is and whether or not he’s safe. The alley is close to our house and I don’t want him to leave the area.”* Through the conversation, the other residents started to realize they wanted to support the youth but wanted their concerns addressed too. The Facilitator helped the group come to consensus and develop a contract which could be signed by the members of the community. The agreement called for youth to only play in the alley during certain times, not use profanity, and clean up any trash. The adults also agreed to approach the youth or their parents before calling the police.<sup>45</sup>

For other families, youth have unaddressed needs that cause them to come to the attention of the justice system. One of the most common complaints of families involved in the justice system is that many had tried to get help for their child but none was forthcoming.

.....  
*“I went [to the justice system] cause I felt like I had no other choice. I thought I had exhausted all my choices, all of my options. I felt like I had nowhere else to go.”<sup>46</sup>*  
 .....

Jurisdictions need to think about the ways that families may need support and develop outreach strategies to promote the resources that are available. Communities can establish a website and centralized phone number, such as a hotline or 2-1-1 number, so families have access to the information they need when they need it. These resources also can be promoted to the persons whom families are likely to ask for help, such as teachers, doctors, and clergy, so that everyone knows how to support the children in their community.

Communities don’t have to do all the work themselves; they can leverage resources developed by others. The Urban Leadership Institute’s **Raising Him Alone Campaign (RHA)** engages and supports single mothers raising boys. Initially a two-city initiative, RHA expanded to additional cities and created a national online presence. RHA now serves as a national clearinghouse for parenting information used by thousands of single mothers across the country.<sup>47</sup> For example, Yvonne, a single mother from Oakland, California, reported that she got connected to RHA via Facebook. Yvonne’s son was arrested for not having a photo ID and she used the site to connect to a local organization that addresses issues related to community policing.<sup>48</sup>

Nevertheless, while online tools and resources are a good first step to supporting families, they are not a substitute for real-life connections. The computer cannot give a hug to a child or family member who needs one. Here are two examples of communities that have developed programs to support families without having to rely on either the child welfare or justice system.

The **Grandparents Raising Grandchildren program in St. Joseph, Michigan**, assists grandparents and other caregivers who are raising teenagers and children of incarcerated parents.<sup>49</sup> Families living in the rural tri-county area are able to



build meaningful relationships with others by participating in activities and services such as: “The Party Line,” which are conference calls that allow families to share challenges and solutions; “The Breakfast Bunch,” regular get-togethers at a local restaurant; and other family events with good food and special activities for the children. The program also offers family members respite services, mileage reimbursement for travel to and from events, and informational and referral services through a newsletter.<sup>50</sup>

Many families see early warning signs in their children’s behavior but don’t know where to turn, or they get turned down.

.....

*“I called about ten different places to try to get my son’s head examined. They said if he was not in trouble, there wasn’t anything they could do.”<sup>51</sup>*

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Many families are turned away because they are ineligible for services. They make too much to qualify, but not enough to purchase private services for their child, assuming those services even exist in a community. Other families are eligible for services, but they have to wait for weeks before receiving assessments or referrals, or they have to go through a lengthy court process to get youth the services they need. Universally, families want to know why the system will pay to incarcerate a child but not pay to keep the youth safely at home in the community.

Some communities are starting to make the shift. Florida has established the **Florida Network of Youth and Family Services**, a consortium of 32 community-based agencies that serve youth and families across the state who are not involved in either the child welfare or juvenile justice systems. Florida has seen great success through operating the Network: 90% of the youth never enter the juvenile justice system, and only 6% of families receiving services were petitioned to court as Children in Need of Services cases.<sup>53</sup>

.....

*“We were told that since we lived in a rural area and mental health services were scarce that it probably would be best for our child to be locked up because she’ll get services faster.”<sup>52</sup>*

.....

The Network offers the following services to youth and families: outreach and public education services for youth, families, and the community; centralized intake available 24 hours a day, seven days a week; shelter services that can be used to provide respite during strained family situations; non-residential services such as crisis intervention and individual, group and/or family counseling; and case management services.<sup>54</sup> Here is what one youth says about her experience with the Network:

*“I am writing this letter to inform all of you how this program has made a big difference in my life for the better. Being at the shelter helped me realize I was making a lot of poor decisions, such as missing a lot of days at school and getting failing grades, and not being honest with my mother, who loves me dearly. You will be happy to*



**Tip:** Use creative names to make events for youth and families fun and inviting.

know that I am attending a new school, and I'm doing very well there. I look forward to attending school daily now, because the environment is more positive and nurturing. College looks a lot more attractive now! All of you were very nice and encouraging during my stay and I would like to thank you for helping me realize how smart, beautiful and strong I am."<sup>55</sup>

## Supporting and Reducing Disparities for LGBT Youth

Families and systems need to make special efforts to understand the unique issues facing lesbian, gay, bisexual, and transgender (LGBT) children and ensure that they are treated fairly. National data show that 15% of youth in the juvenile justice system are LGBT, questioning, or express their gender in non-conforming ways. Compared to their heterosexual and gender-conforming peers, family rejection is a common reason for the delinquency, and counseling and support for families is often necessary.<sup>56</sup>

*"You have to start with the family. Now we know how harmful it is for gay kids not to be accepted, not to be loved, and to be victimized. The more we talk about it, and the more people embrace their gay children and form families where they are accepted and loved – and not discriminated – they will thrive, the kids will thrive."<sup>57</sup>*

Two resources for families and systems are the **Family Acceptance Project** and **The Equity Project**. The Family Acceptance Project at San Francisco State University provides research-based educational resources and is developing model services for ethnically diverse families to help increase family support for LGBT children.<sup>58</sup> The Equity Project is an initiative to ensure that LGBT youth in juvenile delinquency courts are treated with dignity, respect, and fairness.<sup>59</sup>



## School-based Strategies

For many families, schools are a big part of the problem as well as part of the solution. Families are concerned about the quality of education and overall school climate.

Families give voice to the “school-to-prison” pipeline by sharing their concerns about the way schools mishandle and mistreat children. According to a recent Justice for Families survey of more than 1,000 families in the justice system, nearly one in three families reported that their child’s first arrest took place at school.<sup>62</sup> Families note how minor problems in schools escalate into major ones:

.....  
***“My child never had problems with other teachers, but, in sixth grade, this teacher made him feel like he was a bad kid and that he never did anything right. He began to believe it. In that one year, he went from being a really good student to an angry, disruptive kid.”<sup>60</sup>***  
.....

*“It all started with school suspensions, when he had nothing to do.”<sup>63</sup>*

*“He dropped out at 16 and was sent from the gifted and talented program to the streets. There are a lot of geniuses out there who wind up dead.”<sup>64</sup>*

*“The revolving door of punishment—suspensions, expulsions, arrests—puts our children on the streets, and on the road to gangs and prison.”<sup>65</sup>*

Some juvenile courts have begun to develop ways to close the door to school-based offenses. The **School Offense Protocol Agreement used in Clayton County, Georgia**, prevents minor offenses in schools, such as disorderly conduct and fighting, from ending up in juvenile court.<sup>66</sup>

By closing the door to juvenile court, schools have to find alternative strategies

to address problem behaviors. Strategies that communities have started to use include changing the culture of schools, targeting family engagement strategies toward families at risk of involvement in the justice system, and developing restorative justice practices to address discipline problems that will inevitably occur.

### Positive School Culture

Hundreds of schools across the country, and even some juvenile justice facilities, have implemented **Positive Behavioral Intervention and Supports (PBIS)**. PBIS is a school-wide approach to establishing the social culture and behavioral supports to help all children achieve both social and academic success. A prevention model, PBIS is used by schools to improve the behavior of students and decrease disruptions by establishing universal expectations for behavior and rewarding students for demonstrating the desired behavior. PBIS also provides interventions for the smaller group of students who have greater difficulties following the rules. The voices and perspectives of family and community members are involved in the PBIS process through active participation on leadership teams, practice implementation, and outcome evaluations at the school, district, and state levels.<sup>67</sup>

What does PBIS look like in a real school? Jonesboro Middle School in Clayton County, Georgia, has implemented PBIS. The school-wide behavioral expectations for youth are:

1. Be Respectful of Self, Others, and Property;
2. Be Responsible and Prepared at all Times; and
3. Be Ready to Follow Directions and Procedures.

The school prepared materials to show students and parents how to meet these expectations. For example, the school posted displays of what it looks like to show respect for learning. They showed pictures of students in appropriate versus inappropriate dress and organized versus unorganized backpacks and notebooks. The school also uses a “Gotcha” system to provide positive reinforcement

.....  
*“People (at school) see me and they just see a gang-banger. They see a trouble maker. It didn’t matter that I had a summer job. It didn’t matter that I had an A in math class. I sat at the geek table, I was the only Mexican boy at the geek table! None of that mattered – when people saw me, they saw a trouble maker.”<sup>61</sup>*  
.....



What steps have been taken to stop the school-to-prison pipeline in the community?

for good behavior. Students are rewarded when teachers catch them in the act of doing something positive, such as picking up trash on school property or helping another student. These youth are then entered into a monthly raffle to participate in a pizza party luncheon. By being consistently rewarded for good behavior, disruptive behaviors within the school have been dramatically reduced.<sup>68</sup>

### Family Engagement in Schools

The Harvard Family Research Project, AT&T, and United Way Worldwide have partnered together in 15 sites across the country to identify strategies for family engagement for at-risk students in high school as part of the **Family Engagement for High School Success Initiative**. One site has made a special effort to meet the needs of truant youth. In Lake County, Illinois, the local United Way brought together the Latino Leadership Council, the Waukegan High School Faith Council, and the Hispanic Institute to develop a comprehensive strategy targeting the families of two groups of students: youth who were chronically truant in eighth grade; and tenth graders who had less than a 92% attendance rate, had been suspended, or had failed to achieve a minimum level of credits. Focus groups with the families of these students revealed that many families were unaware of school requirements, were confused about their role, felt intimidated by school personnel, and were unable to assist with homework because their children's academic skills exceeded their own.<sup>69</sup>

#### A Comprehensive Parental Involvement Strategy for Truants<sup>70</sup>

The comprehensive strategy for high school students in Lake County, Illinois, included:

- A fall orientation to inform incoming freshman and parents about attendance and graduation requirements, the online data system, and school-career connections.
- A "Soccer on Sundays" program for truant students and their fathers to include soccer games, a barbeque, a team-building activity, parent sessions on supporting teenagers, and student attendance contracts.
- Parents who complete a training series on how to use the school's new online student tracking system receive a refurbished computer to take home to help monitor their child's progress.
- Family resource coordinators help families feel welcome at the school and inform them of their students' progress and of affordable, local youth activities. Teachers reach out to families through parent-teacher conferences and at-home visits.
- Teachers and family resource coordinators participate in family engagement and diversity training taught by volunteer diversity-training officers from community-based businesses.
- Community partners provide students with ongoing academic help through an internet-based homework and mentoring support program.

## Restorative Justice Practices

In lieu of zero-tolerance policies, Chicago Public Schools are using restorative justice practices to respond to conflict. This recent change is the result of advocacy efforts by a number of organizations, including **COFI and POWER-PAC**. COFI stands for Community Organizing and Family Issues. Founded in 1995, COFI helps to build family-supportive communities by developing parents' capacities to become leaders to improve their lives, strengthen their families, and better their communities. POWER-PAC, which stands for Parents Organized to Win, Educate and Renew – Policy Action Council, began in 2003 and is a cross-cultural, citywide membership organization made up of low-income parents.<sup>71</sup> These parents and grandparents came together to address the disparate suspension, expulsion, and arrest rates of their children. In 2007, they were successful in making changes to school disciplinary policies.

.....

*“The big idea of restorative justice is that students can and should learn to understand why their misbehavior is wrong and be allowed the opportunity to ‘make it right’.”<sup>72</sup>*

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*“Getting restorative justice adopted by Chicago Public Schools is a big success. Parents organized to change the rules on how schools discipline children, but parents also have to take things into their own hands and organize programs in local schools.”<sup>73</sup>*

The revised Student Code of Conduct allows schools, parents, and communities to use restorative justice programs such as Peace Circles, Peer Juries, and community service as alternatives to suspension, expulsion, or arrest for many offenses. Peace Circles are a structured way for people to talk and listen to each other so they can get to the root of the problem. Peace Circles can be facilitated by a trained parent, school staff person, or community agency (see textbox). Peer Juries are a way for students to hold each other accountable. The students themselves are trained in restorative justice practice and serve as a jury for their peers.

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In addition to the policy change, parents also secured funding from the Cook County Juvenile Division of the State's Attorney's office for the first Peace Center, an afterschool program.

Trained as peacemakers and circle keepers, parents facilitate weekly groups with students so that children can learn de-escalation and conflict resolution skills that can be used at home, at school, and on the streets.

## Peace Circles in Action<sup>74</sup>

Here is an example of how one Chicago high school has used Peace Circles to help reduce youth-adult conflicts:

“[A] young man came in late to school one day and exchanged words with the security guard. He yelled and she hollered back, and it escalated from there. Soon, the principal heard the yelling and asked them to sit in a Peace Circle. At first, the security guard refused, saying the student had threatened her. She thought he should be suspended or arrested for talking that way to her. But, after some convincing, both agreed to participate.



In the Peace Circle, it came out that this young man was having problems at home – his mother had been arrested, and he was caring for his younger siblings. He was late to school because of all that he was dealing with at home, and he was mad and frustrated with himself for letting it all overwhelm him. The security guard was angry too. She felt disrespected. But as she listened, she came to empathize with his situation. She even offered to spend time with the boy to help support him.

By the end of the Peace Circle, the two agreed to speak more respectfully to one another and to spend time together. The student was not suspended or arrested. Instead, he had found someone to listen to him and to be there for him, and both parties involved had learned a lesson about themselves and about each other.”



### Services at Arrest

For many families, the arrest of a child is a sign of typical adolescent misbehavior, or perhaps is a signal that the youth needs more supervision. For other families, the arrest is an example of their child being targeted as a result of discriminatory policing practices. For yet other families, the arrest is the latest event in a series of problems indicating the youth needs extra help. The trouble is that at the time of arrest, law enforcement doesn't know which child is which.

In light of the research demonstrating how contact with the justice system causes problems for youth, and that even temporary stays in juvenile detention are dangerous, many communities have been working to decrease the time that youth are exposed to dangerous detention conditions and are rethinking how to get youth the services they need without justice system involvement. Two strategies that jurisdictions across the country are using to help reduce contact with the justice

system and simultaneously get youth access to services for those in need are civil citation programs and juvenile assessment or reception centers.

Since 2007, the **Civil Citation program in Miami-Dade County, Florida**, has lowered referrals to the juvenile justice system for minor offenses and addressed youth and family needs without imposing an arrest record on youth.

Rather than arresting a youth for a low-level offense, law enforcement gives the youth a civil citation. Youth who are formally arrested can also be referred to the program during the regular juvenile intake process. Youth receive a comprehensive screening and assessment using a tool known as the Global Appraisal of Individual Needs – Quick (GAIN-Q), which identifies reasons for the problem behavior and needs of the youth and families. Youth are then referred to services to meet their needs. For example, if a substance abuse problem is identified during the assessment, a youth will be referred to the appropriate service even if the offense was not drug-related. Public defenders like that the information collected during the assessment cannot be used as evidence against the youth. The program also has an accountability component. Youth receive a variety of sanctions which can include community service, writing essays or letters of apology, or providing restitution to victims. Youth who successfully complete both their assigned services and sanctions will leave the program without an arrest record.<sup>75</sup>

In addition to helping youth and families, the program has helped the system become more effective overall. Police are able to spend more time on the street and less time transporting youth to booking or attending court hearings for low-level offenses. Further, with the removal of the low-level youth from the system, prosecutors, public defenders, juvenile probation officers, and judges all have more time to spend on the more serious cases that require greater attention. The program has been successful at improving public safety, reducing disproportionate minority contact, and has also produced cost savings for the county. In its initial year, the program had a 3% recidivism rate, and it reduced juvenile arrests by 30%. Officials have also calculated an immediate \$5,000 cost savings per child by avoiding arrests.<sup>76</sup>

In contrast to the civil citation program where generally the youth have not been taken into custody, other jurisdictions are developing juvenile reception or assessment centers to avoid the negative consequences of juvenile detention when youth are taken into custody.

The **New Avenues for Youth Reception Center in Multnomah County, Portland, Oregon**, is one example of a police-centered detention alternative. Prior to the development of the Center, all youth taken into police custody were brought to the juvenile detention facility. The Center was developed to divert youth who pose no threat to public safety away from the juvenile justice system and toward community resources. The Center operates 24 hours a day, seven days a week and primarily serves status offenders and homeless and runaway youth.

The Center works not only with juveniles but their families as well. Counselors work with individuals and families using a strengths-based, solution-focused framework. Many of the youth at the Center are experiencing conflict with their families, so the counselors provide family counseling to help rebuild family rela-



In the community,  
do the diversion  
options allow youth  
to remove the stigma  
of an arrest record?

tionships, offer techniques to resolve family-youth conflict, and address communication challenges. Families also receive information and referrals for drug and alcohol treatment, long-term residential treatment, education and employment services, mental health services, theft and gang diversion, teen parent programs, and domestic violence programs. The Center has been very successful at reducing the number of non-detainable incarcerated youth, reducing the time police spend on juvenile intake processes, preventing youth homelessness, and preventing youth from requiring greater services by providing services for high-risk youth and families.<sup>77</sup>



## Quick List of Ideas

1. Promote resources for families through websites and hotline numbers.
2. Develop special programs and support for youth and families involved or at risk of involvement in the justice system that do not require court involvement.
3. Stop the school-to-prison pipeline by: closing the door to juvenile court; creating positive school cultures; targeting school-based family engagement strategies at families involved or at risk of involvement in the justice system; and using restorative justice practices instead of suspensions, expulsions, or arrest.
4. Create and expand diversion opportunities for youth who have contact with law enforcement to avoid justice system contact and unnecessary detention.



## 2. FAMILIES HAVE PEER SUPPORT FROM THE MOMENT A YOUTH IS ARRESTED THROUGH EXIT

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Even the most supportive community, with a comprehensive set of prevention programs available to all children, will have youth who get arrested. Kids do stupid things. Hasan Davis, acting Commissioner of the Kentucky Department of Juvenile Justice, recalls his own experience getting arrested as a child:

*“When I was 11, I got arrested, and I remember waiting at the police station for my mom. As I saw the other mothers arrive, I could see the fear, frustration, and embarrassment that comes with having a child get caught up in this system, which came out as anger and threats...[W]hen she showed up, she was really calm. I figured she didn’t want to show herself in front of the police, and I thought she’s going to lose it when we get in the car, but instead there was deafening silence. Halfway home I finally found the courage to look up at her, and she was crying these huge tears. She looked down at me and said, ‘Baby, if you could see what I see every time I look at you, you would know how great you are.’ Having family connections has been integral to my success. In the middle of my internal and external chaotic world, my mother and stepfather gave me the support and courage to find a path beyond my worst choices. And no matter what I did my mother refused to let me forget the powerful image she held up as the man I could one day be—it was something to aspire to.”<sup>78</sup>*

From the first call informing a parent or family member that a child has been arrested, families experience a rush of conflicting emotions and fears. These first few interactions with the system in the minutes, hours, and days after arrest will set the tone for all interactions between system stakeholders and the family in the future. Unfortunately, for the overwhelming majority of families across the nation, these first interactions are negative. Families experience shock at seeing their child in handcuffs, with bruises, or being abused by the system.

*“When I came in, he was on the floor and a police officer had his foot on my grandson’s back.”<sup>79</sup>*

In the midst of these chaotic feelings, families are asked to make life-altering decisions. Parents are often asked to consent to the questioning of their child without access to an attorney to guide them, although many times children are questioned without the knowledge of their parents at all.

*“The officers could not or would not explain anything. My lack of experience and knowledge led me to make mistakes that negatively impacted my child’s outcome in the system.”<sup>80</sup>*

Alternatively, families do receive guidance from police, intake workers, the child's attorney, or others, only to learn later that they were misinformed.

*“They will manipulate youth. I didn’t know the system. A social worker came at me, she asked what kind of help can we get your son. I gave answers and found out she was with the D.A. and using the information against me – against us.”<sup>81</sup>*

In addition to wanting high-quality legal services to assist them, families are clear in wanting the assistance of a peer—a family member who has gone through the system before and survived the experience—to help them navigate the justice system.

*“Have a system where somebody actually talks to the parents... so they’ll know exactly what to expect, what not to expect, what their rights are... I think that would make a big difference.”<sup>82</sup>*

Peer support has been demonstrated to be effective in other child-serving systems and we are beginning to see the benefits in juvenile justice as well.<sup>83</sup> Although no jurisdiction to our knowledge offers peer support from the moment of arrest or first contact with the system, it is clear from focus groups with families and the research from Colorado discussed below that it is an essential component of building relationships between families and systems.

To respond to the needs of children with incarcerated parents, some law enforcement agencies have developed protocols to use when they arrest a parent. For example, in San Francisco, California, children have “the right to be kept safe and informed at the time of my parent’s arrest.” In New Haven, Connecticut, a police department representative visits children in their homes if they were present during a parent’s arrest to talk about what happened and where their parent is.<sup>84</sup> Families want a similar protocol for law enforcement to follow when they arrest their child. This protocol would include immediate notification to parents and basic information about the justice system.

First, there should be a standard practice that a youth’s parent or guardian is called immediately upon being brought into the police station, and at regular intervals thereafter if they were not reached.<sup>85</sup> Youth also should be able to call other responsible adults who may be able to contact the family member. During this call, police should inform the family member where the child is or will be held and how to get there. Police also should explain what will happen if the parent either comes immediately to the police station or waits to pick up the child.

Second, parents should receive an information and resource packet whenever they pick up their child. Law enforcement also should distribute a modified version to youth who are cited and released but asked to show up in court. The information packet should include:

- Fact sheets detailing the child’s and parent’s rights;
- Contact information for legal assistance and peer support;



**Tip:** Assemble resource packets for parents to be picked up at police stations.

- The locations of the courthouses and facilities in the jurisdiction with directions and public transportation information; and
- Basic information about the juvenile justice system and process.

Having law enforcement provide clear and useful information to the family that they can refer to from the start will go a long way in helping to ease anxiety and establish a minimum level of trust that other system players, such as probation officials and judges, can build upon.

In this section, we profile three specific approaches to peer support that have been used at different stages of the justice system.



## Orientation in Juvenile Court

**Juvenile Justice 101** helps families in Kings County, Washington, understand the juvenile justice system. The central feature of the program is an orientation provided to family members at the courthouse. Family members who have already been through the juvenile system with their own youth, known as “Family Partners,” run 30-minute orientation sessions in the courtroom lobby. Each orientation session starts with a 15-minute video describing the juvenile court process and presenting the roles of the judge, defense attorney, prosecuting attorney, and intake probation counselor using some of the very people families are likely to see in court. At the close of the orientation, a representative from a local community agency offers a 10-minute presentation on the agency’s services. When a community presenter is not available, families are directed to a resource rack and table where information from community agencies is available.

Families also receive a resource booklet including information about court programs and community services, as well as guidance about how to track youth behaviors and other information useful for court staff. There is also space for the family to write down questions, names and phone numbers, and upcoming court dates.

Following the court orientation, the Family Partners speak individually with families to offer emotional support, information about court and/or community resources, and provide mentoring and coaching about how to work effectively with court staff.

Family Partners also develop and participate in workshops in the community to present on the juvenile court process.<sup>86</sup>



## Family Advocates for Youth with Mental Health Needs

Since the concept of peer support originated out of the mental health field in the 1980s, many jurisdictions across the country have established peer support programs for the subset of the juvenile population who have mental health needs.

While currently restricted to youth with mental health needs, these programs should be modified and expanded to meet the needs of all families, regardless of whether the child has a mental health need.

In 2007, **Colorado established the Family Advocacy Demonstration Program**, which provided peer support for families in the justice system in three locations: Denver (urban), Jefferson County (suburban), and Montrose County (rural). Each jurisdiction partnered with a local family advocacy organization to provide family-driven, youth-guided advocacy services. The goal of the pilot program was to ensure that youth and families get access to necessary services and keep them from reoffending. Pilot sites were able to use funds from the demonstration program to pay for a family advocate, a parent or primary guardian who has raised or cared for a child with a mental health or co-occurring disorder, and a family system navigator, an individual who has the skills, experience, and knowledge to work with these youth.<sup>87</sup>

The program has been evaluated with some very promising findings. During the study period, only 9 of the 90 participating youth (10%) were convicted of additional crimes after enrolling in the family advocacy program. Given the high-risk nature of the youth included in the program, the Colorado Department of Public Safety, Office of Research and Statistics, found the program to be cost-effective, explaining that if sites were able to avert a single conviction for one youth in the program, estimated at a cost of \$57,276, sites could offset nearly 99.7% of the average cost to run the entire program in the site.

While there were subtle differences between the three jurisdictions, they generally used a wraparound approach to working with the families. Wraparound processes generally involve the youth and families identifying the services and supports they need to successfully meet probation or other supervision requirements. A youth describes what wraparound services looked like for him:

*Family Agency Collaboration and the Family Advocate helped my family by going to court with me and my family. By working with people in the juvenile justice system get me on track with court and legal difficulties. They also helped with finding me a job to keep me out of trouble on the streets. I fell behind in school and I needed to get my credits up so they also help me find summer school options. Once I found a school to go to I they help make sure I was doing good in school and checked to see if my grades was on track. I also learned the rights that I have as a citizen which help me because I now know what I can and can't do and know if I will get in trouble for the certain things I do. I am also interested in black history and I received help and assistance with books and information that was very useful to know my history and culture. This program has helped me become a better and more mature person and I will always use the skills I learned in life so that I can be successful.<sup>88</sup>*



In each of the three sites, the family advocate, often with the support of a service coordinator or family systems navigator, developed and implemented an individualized plan for the youth and family. In addition to providing emotional support, the family advocate then helped to implement the plan by accompanying the youth and family to appointments, meetings, and hearings; communicating with

service providers and other staff; and helping to meet basic family needs such as providing bus passes or clothing. The sites also convened regular family support groups, which offered emotional support, an education component, and recreational activities.

This is what a parent had to say about the program:

*My experience with Family Advocate was a life changing experience for me and my family. We learned how to communicate with each other without getting irritated with one another. We learned how to solve our differences in a fashionable manner. My son enjoyed going to the groups and so did my husband. The most impressive of all of our family advocate was very helpful in and out of the court rooms.<sup>89</sup>*



Rhode Island has developed a similar peer support program, **Project Hope**, for youth returning to their homes and communities from the Rhode Island Training School (RITS). Youth transitioning out of the RITS are referred to the program 90 to 120 days prior to the youth's discharge, allowing Project Hope staff time to get to know the youth and family prior to developing a service plan with them. Family Service Coordinators, each of whom is an individual who was or is the principal caregiver of a youth who has had contact with the juvenile justice system, work closely with the Clinical Social Worker at the RITS while the youth is incarcerated and with the Probation Officer when the youth returns to the community.

Youth and their families meet with the Family Service Coordinator to participate in a strengths-based assessment and discuss what services they need to keep the youth in the community and avoid re-incarceration. A plan is then developed as a team with the youth, family, clinical social worker, probation officer, and community officers before the youth is released. A case manager is also assigned to ensure implementation of the plan for a period of 9–12 months following discharge. Throughout this time, the planning team is brought together to change or modify the youth's plan when needed.<sup>90</sup>



## Peer Support, Organizing, and Advocacy

In contrast to peer support mechanisms, which are aimed at helping families understand or access services within the system, a growing number of family advocacy organizations have been forming to provide support to families wanting to reform the justice system overall. The **Alliance for Youth Justice**<sup>91</sup> and **Justice for Families**<sup>92</sup> are two national efforts supporting families in the justice system and there are several state and local family organizations across the country working on local and statewide reform efforts. For example, **Families and Friends of Louisiana's Incarcerated Children (FFLIC)** is a statewide advocacy organization working on behalf of Louisiana youth. FFLIC's work includes representing youth at disciplinary hearings, developing parent-advocates through trainings, advocating for policy change, and representing the voices of community and family members of incarcerated and at-risk youth at a variety of policy-making tables.

.....

*“We were tired of the phone calls about broken jaws and trips to the hospital; we were furious at how far we had to travel to see our own children; we were frustrated at the defense attorneys who were too busy to meet with our children before trial; we were sick of being told that we are bad parents and that our children were beyond help!”<sup>93</sup>*

.....

FFLIC started in 2000 when a few parents came together to share stories of outrage and to support one another in advocating for their children who were in Louisiana’s brutal and ineffective juvenile justice system.

FFLIC had started by meeting in various locations across the state, but eventually settled in New Orleans. Today there are several FFLIC chapters located across the state.

With FFLIC’s leadership, working in coalition with other advocacy organizations including the Juvenile Justice Project of Louisiana (JJPL) among

others, they secured passage of the Juvenile Justice Reform Act of 2003, which closed Tallulah, the state’s most notorious juvenile facility. FFLIC continues to be a voice in juvenile justice reform efforts in Louisiana and is now waging a *School to Prison Pipeline* campaign to ensure that Louisiana schools don’t push youth into the juvenile or adult criminal justice systems.<sup>94</sup>



## Quick List of Ideas

1. Create new law enforcement protocols to inform parents of their child’s arrest and information about their rights, the justice system, and resources to help them.
2. Meet the legal needs of families by improving access and quality of counsel for children, and create new legal resources for families by partnering with community-based organizations and legal service providers.
3. Create formal orientation programs and resource materials for families to help them understand the juvenile court process and the services available in the community to meet their needs.
4. Expand existing peer support and wraparound programs, and create new ones, to serve all youth and families who request and need the service.
5. Invest in the development of Family-Run, Family-Led, and Family-Voice Organizations to provide peer support to families in the justice system.



## Legal Services for Family Members

The quality and availability of legal representation for youth and low-income families' needs to be improved. Peer support is not, nor should be, considered a substitute for legal services. Families, community-based organizations, legal service providers, and justice system stakeholders need to come together to meet the legal needs of families. Community-based organizations and existing legal organizations can help meet the legal needs of this population as demonstrated by these two examples:

The **Asian Law Caucus in San Francisco, California**, challenges inequities in the criminal justice system through community education, legal representation, policy advocacy, and coalition building on behalf of low-income immigrants in the justice system. Their work started with efforts to assist youth in the juvenile justice system in 2006 and expanded into the Criminal Justice Reform Program in 2010 after realizing “that pursuing our goal to keep families together necessitated the broadening of our scope to include issues related to the whole family and not only youth.”<sup>95</sup> The Criminal Justice Reform Program engages in policy advocacy to reduce the impact of draconian immigration laws on youth and families, and it provides direct representation for low-income immigrant families with youth in the juvenile system—youth who are experiencing harassment or discrimination based on race, ethnicity, or other protected categories—and individuals who are the victims of race-motivated police misconduct. In addition, they actively reach out to community members and provide free trainings and materials translated in several languages. For example, the training “Juvenile Justice System for Youth and Parents” explains the entire court process including different hearings and possible outcomes in the juvenile justice system, the key differences between the adult and juvenile systems, the California Three Strikes Law, and the sealing of juvenile records. They also offer train-the-trainer workshops so that other organizations and groups can replicate their trainings.<sup>96</sup>

The **Albert Cobarrubias Justice Project (ACJP) in Silicon Valley, California**, is a community organizing model for families and communities to influence the criminal court system. ACJP hosts volunteer-driven weekly meetings to assist families going through the court process. According to ACJP, “the courtroom is perceived as a space only for lawyers, and caring communities sometimes relinquish power at the most critical time – when the case of a loved one enters the court system.” ACJP aims to change the balance of power that currently exists within the court system by organizing members of the community in support of individual cases.

Most youth are represented by court-appointed attorneys, either a public defender or a private attorney, who often have high caseloads and inadequate investigative resources and support. In addition, prosecutors often over-charge or stack multiple charges against youth to induce a guilty plea. As a result, many youth and families feel that they have no choice but to plead guilty.

ACJP supports families in assisting in the youth's defense by helping families document the incident and build a social biography of the individual facing the charges;



What legal organizations in the jurisdiction provide legal services to families?

have weekly status meetings to keep track of the progress of a case; and learn how to communicate effectively with lawyers, including providing tips for what to do if the prosecutor, assigned attorney, or judge is mishandling the case.<sup>97</sup>

Here is the story of a mother, Blanca Bosquez, who with the support of ACJP was able to get the charges dropped against her son:

*My son was being accused of a felony strong armed robbery. Upon being detained by officers at his school, he was denied contact with me, even after he asked for me. I obtained papers from the school where the detectives who questioned my son instructed school administrators not to contact his parents. He was then taken to the police station and interrogated for several hours.*



*At the detention center, my son supposedly confessed to the crime of robbing a taxi driver and being the mastermind behind a team who conspired to rob him. What complicates this case, and why such an allegation could not be possible, is that he was only 15 years old and has struggled with mental disability ever since he was born. His developmental issues are at the level that he receives support and care from county agencies, and essentially requires 24 hour supervision to function adequately. As a result of his challenges, he cannot verbalize much due to a speech impairment, and is currently learning to sign. This is why the notion of an “admission” seemed ridiculous. After viewing the tape, it was clear the officers were deliberately trying to take advantage of my son’s condition.*

*I came to [ACJP] the Sunday after my son was taken into custody and placed in the worst unit that any juvenile could be placed in due to the charges. My son had not spent time alone anywhere, much less in juvenile hall. At [ACJP], we collectively discussed a gameplan, and I sent an email to the head of Juvenile Department of the Public Defender’s Office to ensure that my son was being well-watched in custody and instructed her to send the most prepared attorney to the detention hearing.*

*The next day at court, during my son’s detention hearing, I was able to fill the courtroom with family and community supporters. The purpose of the hearing was to decide whether my son was going to continue to be held in detention. While most juvenile proceedings are closed to the public, the entire family as well as community supporters bore witness to the court proceedings, and my son’s six sisters and brothers, grandparents, and myself all testified to his character. The result? My son was immediately released that day.*

*What followed while my son was out of custody was about another four months of fighting for his innocence and the dismissal of the charges. I made sure I had access to reviewing the discovery, and that was key in the end result of all charges against my son being dropped. I was able to view the interrogation, and also provide the attorney with the documents that proved my son’s developmental issues. I would regularly email the attorney questions about the case, thoroughly read all the police reports and evidence, and met with the attorney.<sup>98</sup>*



### 3. FAMILIES ARE INVOLVED IN DECISION- MAKING PROCESSES TO HOLD YOUTH ACCOUNTABLE AND KEEP THE PUBLIC SAFE

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Making the justice system more responsive to families does not mean that families do not want consequences for their children who have engaged in delinquent or criminal activities. On the contrary, families recognize that youth need to be held accountable for their actions and want to keep their communities safe. However, families do not view the current justice system as achieving these goals. Families' frustrations with the current system are the result of numerous factors, but many frustrations stem from the longstanding tension within juvenile justice between "holding youth accountable" and "addressing youth needs." These are also the very conflicts that narrowly focused family engagement or involvement strategies are not equipped to resolve.

In most jurisdictions, deciding how to hold a youth accountable and deciding how to address youth's needs—the very structure and process of the justice system itself—have been devoid of family input. According to a recent Justice for Families survey, more than 80% of family members reported that they were never asked by a judge what should happen to their child.<sup>99</sup>

Instead of the family-driven care approach prevalent in many other child-serving systems, which gives primacy to family preferences, the offense a youth is charged with often is the primary driver of what happens in a youth's case—a choice typically made by an individual police officer, probation officer, or prosecutor.<sup>100</sup> If the matter is handled formally in court, prosecutors in many states become the ultimate decider, and the offense a youth is charged with typically triggers additional laws related to sanctions and sentencing. For example, states allowing youth to be prosecuted as adults activate mandatory minimum sentences. Many juvenile systems have similar juvenile determinate sentencing laws with prescribed formulas based on the offense, not the needs or risks of a child. Even without mandatory sentences, many of the "treatments" available in the juvenile system are really punishments in disguise. The net result is that for families in the justice system, regardless of the outcome of their individual case, "the process is the punishment."<sup>101</sup>

To truly integrate family voice into the justice system, families and system stakeholders need to reexamine all juvenile and criminal justice policies and practices across the board. As noted by Los Angeles County:

The process of finding new ways of thinking about the relationship between family members and professionals grows from the realization that the way we have traditionally practiced did not serve us well. Although we have come a long way from the days of "blame and shame" we are still not to the point where we are seeing the family as real partners in the process of change. We must demonstrate that it values families by radically altering the premise on which social services are based, moving from "replacing families" to supporting and strengthening them. We must look beyond exemplary or pilot

programs scattered here and there, to a place where family centered values infuse all aspects of the system.<sup>102</sup>

In this section we describe ways systems can involve families in decision-making processes at three levels: in their individual cases, in assisting in program development and training, and at the broader policy reform level.



### Maximize Opportunities for Families to Resolve Cases Themselves

Families are often unaware of their options, confused about the process, lack access to legal advice, and feel pressure to plead guilty. Systems need to invest in peer support and quality legal services for youth and families to rectify the imbalance of power in the system. This section proceeds as though the child were guilty of a delinquent or criminal act and both families and system professionals agree that some type of justice system involvement is warranted. Now we need to determine what combination of sanctions, supervision, and services are appropriate to impose on a youth. How should those decisions involve the input of families?

In most jurisdictions, juvenile court judges make these decisions after receiving recommendations from prosecutors, probation, and the youth.<sup>103</sup> Typically the court relies on a combination of diagnostic evaluations and reports to make the final decision.<sup>104</sup> But as experienced by the family, even the “best” decisions and disposition plans can be alienating. Families report not having a chance to express their views about what they believe will help their child, or an opportunity to explain how they may have difficulty fulfilling certain plan requirements.<sup>105</sup> In the worst instances, families have been publicly scolded and humiliated in front of their child, making it even more difficult to exercise any parental authority over the child when they return home.<sup>106</sup>

To address these problems, jurisdictions are experimenting with a variety of team decision-making approaches that include families as a valued member and voice in creating disposition plans.<sup>108</sup> For example, Juvenile Court Judge Steven Teske created the **Finding Alternatives for Safety and Treatment (FAST) panel in Clayton County, Georgia**. Every Monday, Wednesday, and Friday mornings, the FAST panel—a group of experts from child welfare authorities, school psychologists, mental health counselors, and community volunteers—interviews the child’s parent or guardian to make recommendations to the judge. Teske says that as a result of the FAST panel, the court is more efficient about processing cases, and judges make more informed decisions since they follow the panel’s suggestions 95% of the time.<sup>109</sup> While this team approach

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*According to a Justice for Families survey of more than 1,000 family members, more than 80% of family members report that they were never asked by a judge what should happen to their child.*<sup>107</sup>  
.....

has worked well in Clayton County, other jurisdictions use approaches that provide even more family ownership over the development of disposition plans.

Across the state of Pennsylvania, counties use a practice known as **Family Group Decision Making (FGDM)** in multiple government agencies including child welfare and adoption, mental health and education, and juvenile probation and adult corrections. According to Judge Todd A. Hoover of Dauphin County:

*“Our systems play out the belief that total strangers—caseworkers, juvenile probation officers, counselors, or judges—who make decisions for these families will produce the best outcomes. I do not know how that kind of thinking was constructed, but I have seen it in my courtroom numerous times. I have also seen that in over 250 [Family Group Conferences] in Dauphin County, families have demonstrated that they can and do have the capacity to make plans for their children that meet safety and permanency criteria.”<sup>110</sup>*

Pennsylvania initiated FGDM as a pilot child welfare initiative in 12 counties in 1999, and it was so successful that it was quickly transformed into a cross-system practice and has now expanded to almost all 67 counties in Pennsylvania.

The practice originates from New Zealand where FGDM is required by law to be used at multiple points in their youth court system, including when a youth has been arrested; when a youth has not been arrested but is believed to have committed a crime; and at the pretrial, trial, and disposition stages of the case. The process is designed to bring the wider group of extended family and community together to resolve the issues with the youth by allowing family members to design their own plan that works for them, with the support and guidance of professionals. Judge Hoover continues, *“If my children had behavior, school, or truancy concerns, my family would likely sit around the kitchen table and work out solutions to those concerns. Unfortunately, those concerns are now all too often brought to the courtroom.”<sup>111</sup>*

FGDM is based on the values and beliefs that families have strengths and can change, families are the experts on themselves, options are preferable to advice, empowering people is preferable to controlling them, and empowering families will lead to families controlling their own lives. Although county implementation of FGDM differs across Pennsylvania, the basic process involves a Family Group Conference, which is a meeting with family members, victims, service providers, the referring worker, and the youth.

Dauphin County, Pennsylvania, has experienced many positive outcomes from implementing FGDM in juvenile delinquency cases. The juvenile probation office screens the case for eligibility to participate in FGDM and gets victim agreement before seeking agreement from the District Attorney. Dauphin County uses FGDM in cases ranging from simple assault and theft to offenses involving guns and drugs. According to Judge Richard Lewis of Dauphin County:

*“[T]hrough [Family Group Conferences] I have seen more parents become involved with their children, more creative plans, stronger ownership of those plans, a significant reduction in recidivism, and a positive shift in the relationship between juvenile probation officers and our community.”<sup>113</sup>*

The conferences save significant court time and resources. There also appears to be a correlation between the conferences and job satisfaction for staff. The normal staff turnover in the child welfare and juvenile probation department is approximately 15%, but for staff involved with FGDM it is about .05%. Implementing FGDM also contributes to overall cultural changes because as staff focus on what families can do, they “critically analyze their agency documents and recognize that, without having intended to do so, they have adopted a condescending attitude rampant with systemic language and acronyms.”

Family members also report satisfaction with FGDM: 97% of family participants indicate that they would recommend the practice to others; 92% agree that the process addressed their concerns; and 99.5% say that it provided adequate protection for the child.<sup>114</sup> Here are the words of one parent’s experience with the conference:

*“I had the opportunity to experience FGDM on many levels. My first experience was with my daughter and Juvenile Probation, and I was asked if I would like to have a Family Group conference. At first I was reluctant because I did not want to be viewed as a bad parent or father, however, I agreed to the FGM and it worked as a real intervention tool and my daughter has not been in any trouble since. She was 15 at that time and she is 19 years old now.”<sup>115</sup>*

## Steps in a Family Group Conference<sup>112</sup>

- 1. Opening**
  - a. Introductions
  - b. Presentation of overview
- 2. Information Sharing**
  - a. Summary of facts
  - b. Review of victim impact
  - c. Offender response
  - d. Information about forming the plan
  - e. Refreshments (optional)
- 3. Family Deliberations**
- 4. Reaching Agreement**
  - a. Proposal
  - b. Negotiation
  - c. Finalization of plan
- 5. Closing**
  - a. Thank attendees
  - b. Next steps



## Involve Families in Program Development and Training

In addition to involving families in decisions about individual cases, many agencies are starting to involve family members in designing programs and training of staff. For example, in response to parents asking for support, Santa Cruz, California, has implemented a family strengthening program, *Cara y Corazón*, that honors cultural and family traditions (see textbox on page 70). Two states (Ohio and Pennsylvania) that are part of the Models for Change Mental Health Network have been working to involve family members in statewide training opportunities for probation officers. In Pennsylvania, the Family Involvement in Juvenile Justice Curriculum was piloted in 2011 and provides an opportunity to explore the assets and biases that practitioners bring to their relationships with family. The results demonstrate a statistically significant shift in participants' attitude toward involving family, with nearly 80% agreeing after the training that “the benefits of family involvement in the court process outweigh the drawbacks,” compared to approximately 50% of participants who agreed before the training.<sup>116</sup>



## Involve Families in Law and Policy Reform

The way to involve families in policy decisions is to ensure that family members are invited, present, and truly listened to as equals at all policy-making tables in which decisions about the youth in a community are made (see textbox). Wherever possible, entities that govern any aspect of justice system policies and practices should include among their members significant—not token—family and youth representation.

Every agency within government has both formal and informal ways of soliciting input from the wide array of system stakeholders to gather their perspectives on how to improve system operations. Systems need to take steps to ensure that family members are part of those efforts as well. Fortunately, government agencies at all levels have begun to do this.

At the federal level, family and youth representatives have been added to serve on advisory bodies such as the Federal Coordinating Council on Juvenile Justice and Delinquency Prevention and the Working Group for OJJDP's National Center for Youth in Custody. States such as New Jersey, New Mexico, Pennsylvania, Virginia, and Washington have included family members on the State Advisory Groups that administer the Juvenile Justice and Delinquency Prevention Act.

Even local governments have appointed family members to serve on policy-making bodies. One example is the **Calcasieu Parish's Children and Youth Planning Board (CYPB) in Louisiana**. The board is made up of diverse members of the community (e.g., gender, race/ethnicity, geography) from a variety of agencies and organizations including behavioral health, health, social services, law en-

forcement, prosecutors, public defenders, judges and/or court staff, education, faith community, business community, early childhood programs, parent organizations, youth advocate and youth serving organizations, lay citizens, youth, and police jurors. The members serve two-year terms and help to develop and implement a comprehensive plan for youth in the community that 1) encourages positive youth development, 2) diverts children away from the criminal justice and child welfare systems, 3) reduces the incarceration of youth, and 4) responds to delinquency in the community.<sup>117</sup>

Justice agencies at all levels of government should identify informal and formal ways of including families in policy reforms. Further, systems should be open to making changes to existing laws and policies that families are most concerned about, including:

1. The availability, quality, and equitable distribution of community-based services and resources
2. Discriminatory policing practices
3. Definitions, scope, and application of criminal laws, particularly school-based offenses
4. Court-related policies, including availability and quality of appointed counsel, charging practices and protocols of prosecutors, and court-related fees and fines
5. The use of incarceration for youth and conditions of confinement
6. Laws allowing youth to be prosecuted in the adult criminal justice system and held in adult jails and prisons.



## Quick List of Ideas

1. Ensure that family members are included in all decisions related to the care of their individual child.
2. Elevate opportunities for family members to create their own case plans by implementing Family Group Decision Making.
3. Involve families in the design and implementation of practices within specific juvenile justice agencies and facilities, including staff orientation and training, development of materials, and community outreach.
4. Conduct a top-to-bottom review of laws and policies affecting youth and families in the justice system.
5. Invite family members to all policy-making tables, advisory boards, or policy committees and treat them as equals.



**Tip:** Broaden the purpose of committees and oversight bodies to help keep youth out of the justice system.

## 4. YOUTH HAVE ACCESS TO CULTURALLY-COMPETENT TREATMENT OPTIONS WHICH STRENGTHEN FAMILY-YOUTH BONDS

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In the last section, we described how families should be involved in helping to determine how to hold the youth accountable, keep the public safe, and ensure that youth get the services they need. Families are likely to generate hundreds of creative solutions to accomplish these goals. Many of the plans will contain interventions tailored to the specific interests and needs of the youth (e.g., establishing mentors for the child, connecting youth to structured after-school activities or employment) that will require minimal monitoring or oversight by justice agencies. However, if the justice system is effective at diverting the low-level youth out of the system, the remaining youth (i.e., medium- to high-risk youth) are likely to require more justice agency supervision.

Justice system stakeholders and families both have mixed opinions about the best way to prevent offending. Some believe that punishing or imposing sanctions on a child will “teach them a lesson” to make it less likely that a youth will commit a crime again in the future. Others are more concerned about addressing the “root causes” of a child’s behavior to prevent reoffending. The needs and wishes of victims further complicate the matter.

Families want to have input in the laws and policies that determine how to balance these potentially competing views, but they recognize that for many medium- to high-risk youth, justice system interventions will have three distinct and overlapping purposes: sanctions to hold youth accountable, supervision to keep youth from offending in the present, and services to prevent offending in the future.

This section profiles what family-friendly interventions look like for these medium- to high-risk youth by profiling community-based approaches and residential programs known to take a strengths-based approach to families.



### Comprehensive Community-Based Services

As documented in two groundbreaking reports, *The Dangers of Detention*<sup>118</sup> and *No Place for Kids*<sup>119</sup>, America has an infatuation with incarceration that is not only extremely costly but also extremely dangerous for youth. Over the past decade, jurisdictions across the country have begun to develop alternatives to the use of incarceration that have proven to be more effective than incarceration at maintaining public safety.

The most commonly used alternative to incarceration, standard probation, has not been very effective for youth and families, and communities are rethinking their practices. As Dave Mitchell, Chief of the Placement Services Bureau for the Los Angeles County Department of Probation has said:

*“Traditionally Probation has been aligned with law enforcement and our ‘treatment’ approach was that if you break your conditions of probation, I will lock you up. As a treatment approach, this was not successful.”<sup>122</sup>*

Jurisdictions across the country are identifying strategies to meet the needs of youth and families and avoid incarceration. Many jurisdictions contract with providers to allow youth to participate in standardized evidence-based programs that have a longstanding history of working with youth who have committed serious offenses and have strong cost-effectiveness studies to back them up.<sup>123</sup> Other jurisdictions are learning how to implement these programs themselves. For example, Sacramento, Yolo, and Los Angeles Counties in California, Multnomah County in Oregon, and the states of Utah and Washington are training probation and parole officers to work in a strengths-based manner with youth and families through a program known as FFP (see textbox).<sup>124</sup>

Jurisdictions across the country are also contracting with providers for a range of programs to meet specific community needs. Here we profile two large-scale community-based providers, Southwest Key and Youth Advocate Programs, Inc., who work with traditional justice agencies to offer a range of services for youth and their families. Both providers approach the work from the perspective of community engagement and cultural competence, and they work with families, youth, and system stakeholders to craft individual plans to meet the specific needs of youth and public safety.

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***No experience is more predictive of future adult difficulty than confinement in a secure juvenile facility.<sup>120</sup> Research shows that longer stays in juvenile institutions do not reduce recidivism. In fact, youth with the lowest offending levels report committing more crimes after being incarcerated.<sup>121</sup>***  
.....

**Southwest Key** is a national nonprofit organization founded in 1987 to improve the lives of children and their families. Founded by Dr. Juan Sanchez, Southwest Key provides quality education, safe shelter, and alternatives to incarceration for thousands of youth each day, while helping families become economically self-sufficient. Southwest Key operates more than 50 programs throughout the United States and works with youth and families in Arizona, California, Georgia, New York, Texas, and Wisconsin. The average costs of their programs vary depending on the number of youth and length within the program, but they are a fraction of the costs of detention or incarceration.

Southwest Key programs are centered on the idea that children flourish when they are able to remain with their families and communities. Their combination of family-centered and strengths-based services are designed to “open the doors to opportunity” so that youth and families can achieve their dreams. Southwest Key offers programs across the entire continuum of care for youth in the juvenile justice system, including empowerment and prevention, diversion, alternative education, alternatives to detention and out-of-home care, specialized treatment, and transitional living and reentry. Staff are on call 24/7 to meet the unique needs



of youth and families, and they individualize their approach to each family by developing flexible service plans in partnership with them.

Southwest Key has begun testing a new approach to delinquency prevention by operating the El Centro de Familia – the East Austin Family Center, a hub for job creation, leadership development, and quality education. This center is part of the East Austin Children’s Promise, inspired by the work of the Harlem Children’s Zone and U.S. Promise Neighborhood initiatives. After receiving a donation of land, Southwest Key established an advisory council of neighborhood leaders and residents to solicit input on how to use the land. The overwhelming response from the community: “We want a school, a safe public place to take our families, a job center. We want something for the community.” East Austin Children’s Promise now provides the community with a local school, after-school and summer youth programming, adult education classes, wellness classes, cultural arts programs, and workforce development. According to Dr. Sanchez, *“Our goal is to wrap our arms around this particular community to ensure that every kid and their family have the opportunities necessary to be successful and fulfill their dreams.”*<sup>125</sup>

**Youth Advocate Programs, Inc. (YAP)** traces its roots to a 1975 ruling that prohibited young people from being incarcerated with adult inmates at a facility in Pennsylvania. Since that time, YAP has grown and operates programs in 25 major U.S. cities as well as dozens of other urban, suburban, and rural communities in 16 states and the District of Columbia.

The mission of YAP is to engage human service systems so that they rely less on institutional care by investing more in families and neighborhoods. YAP works with child welfare, juvenile justice, behavioral health, and disability and education systems to develop and offer community-based alternatives for the highest risk children and families. A large percentage of youth served by YAP are at the “deep end” of the juvenile justice system. YAP operates under an inclusive intake policy—referrals are accepted regardless of client characteristics or case histories. In other words, there are no youth who are too serious for their programs. Further, after accepting a youth and family, they have a commitment to unconditional care and will not unilaterally terminate a youth or family.

YAP has developed some unique service delivery principles that are the hallmark of its programs. For example, they recruit staff from the neighborhoods where the young people and families live, which provides an economic stimulus to the neighborhood. They also provide opportunities for young people and their families to give back to others so that youth are not viewed as “needy” clients but are considered resources and contributors to their community overall. As a result, YAP strengthens both the family and community in ways that will last beyond the length of time the youth is in contact with the justice system.<sup>126</sup>

## Youth Advocate Programs in Action: The Story of Jose<sup>127</sup>

A juvenile court judge referred Jose, a firestarter, to YAP to see if the program could keep the child out of a residential placement. Jose's mother was perceived to be non-compliant, resistant, and angry, and social workers felt they had no choice but to remove Jose from her home. YAP quickly identified the problem—Jose's mother did not speak English. Once she was given an interpreter, she was able to fully participate in discussions about what was happening with her child and her behavior changed.

Jose was assigned an Advocate recruited from the neighborhood where he lives. The Advocate spent 15 hours each week working with Jose and his mother to develop and implement a plan that would get Jose the help he needed. Together they came up with a three-point plan.

First, YAP used a wraparound flexible fund to hire an experienced therapist to complete an assessment of Jose and provide a series of treatment sessions to address his firestarting behavior. YAP also arranged for Jose to receive a volunteer mentor from the local firehouse who lived in the neighborhood. YAP both recruited the fireman and trained him to be a big brother to Jose.

Second, YAP addressed the need to get more male role models for Jose to address his problem with adult authority figures. Jose identified an uncle as someone he would like to spend more time with. Unfortunately Jose's uncle had no time for him as he worked several part-time jobs to provide for his family. YAP approached the uncle to see if he would be willing to give up one of his jobs and be hired by YAP instead. Through YAP, the uncle was able to spend 10 hours per week with Jose and they were able to develop a significant relationship.

Finally, Jose was encouraged to find activities that he enjoyed participating in. Jose expressed an interest in soccer, and his advocate introduced him to the high school soccer coach who encouraged Jose to join the team.

Through this comprehensive and tailored approach, Jose has been able to stay at home with the loving support of his mother and uncle. He is thriving in the community, has not started any more fires, and has developed several meaningful and positive relationships with adults and other youth who will help him stay on track in the future.



## Evidence-based Approaches to Juvenile Justice

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There are several longstanding evidence-based practices specifically designed to help youth charged with the most serious offenses or who have the highest risks of offending. Not surprisingly, families are an integral component of these programs.<sup>128</sup> Here are brief descriptions of the most common programs used for youth in the justice system:

**Wraparound Services:** The wraparound process provides individualized, comprehensive, community-based services and supports to youth with serious emotional or behavioral problems so that they may remain in the community. Resources are created and organized to meet the needs of the youth after identifying the strengths of the youth and family. The goal is to turn what community resources are available into what the youth and family needs (see an example of what wraparound looks like for a youth on page 40).

**Multi-systemic Therapy (MST)** was developed in the late 1970s to meet two goals: provide the youth's caregivers with skills and resources to cope with the difficulties of raising teenagers with behavioral problems; and give youth skills to cope with family, peer, school, and neighborhood problems. MST treatment plans are designed jointly with family members and are family-driven rather than therapist-driven. The typical duration of home-based MST services is approximately four months, with multiple therapist-family contacts occurring each week.

**Family Integrated Transition (FIT)** provides services to youth who have mental health and chemical dependency disorders and are returning to the community. The overarching framework of FIT is derived from MST, with additions from Dialectical Behavior Therapy and Motivational Enhancement Therapy. FIT begins two months prior to release from a residential setting and continues for four to six months. FIT uses therapists to coach caregivers in establishing productive partnerships with schools, community supports, parole, and other systems and to help caregivers develop skills to be effective advocates for those in their care.

**Family Preservation Services** are short-term (4-6 weeks), family-based services designed to assist families in crisis by improving parenting and family functioning while keeping children and communities safe. Family preservation programs are designed to help families cope with stress, maintain needed services, and obtain other needed services.

**Functional Family Therapy (FFT)** and **Functional Family Probation and Parole Services (FFP):** Functional Family Therapy (FFT) is a home-based prevention and intervention program by clinically trained therapists. Functional Family Probation and Parole (FFP) is the latest adaptation of FFT for use by trained probation and parole officers. Both FFT and FFP target risk and protective factors for youth and families, and they provide concrete techniques for clinical staff and probation and parole staff to use when working with youth and families. The three-phase approach of FFT and FFP works to 1) increase the entire family's motivation to participate in services and engage every family member in the process; 2) provide support and encouragement to the family and youth such as referring youth to services or teaching new skills; and 3) link youth and families with relevant providers of services and coach the family and youth to implement what has been learned and maintain the change.

## Family Involvement for Native Youth

Native youth living on reservations face extreme challenges of poverty and alcohol and substance abuse. Native youth also suffer disproportionately from substance abuse disorders compared with other racial groups in the United States.<sup>129</sup> In participation with the Robert Wood Johnson Foundation's Reclaiming Futures Initiative, the Sovereign Tribal Nation of Sicangu Lakota has been working to create a culturally appropriate and family-based response to youth with substance abuse issues. In 2003, more than 75% of Rosebud juvenile justice court cases were related to underage drinking, and youth inpatient treatment services used to be located off the reservation. The Reclaiming Futures Oyate Teca Owicakiya (which means "Helping Young People" in the Lakota language) partnered with the community and more than 15 agencies and programs to increase alcohol and drug treatment and prevention services to young people and their families to:

- Screen first-time offenders and assess and refer teens for treatment
- Use care teams for youth within its Wellness Court
- Have residential treatment for youth on the reservation
- Use innovative treatment approaches include equine therapy, archery, and a range of Lakota cultural practices
- Involve members of the Sicangu Lakota Nation to share cultural traditions, spiritual knowledge, and life experiences
- Promote indigenous practices such as peacemaking and family group decision-making to repair harm and keep cases out of the court system
- Sponsor a youth-run business at the juvenile detention center to teach teens traditional values, work ethics, and home-based business skills
- Include families in assessment, treatment, and family recovery programs.<sup>130</sup>



### Safe, Rehabilitative Out-of-home Options

Youth who are currently incarcerated in America are often held in facilities that fail to provide youth with the treatment or services they need. Instead of helping, youth say many facilities only make them worse:

*"You get better at what you came in for."<sup>131</sup>*

*"Jail makes you better at the opposite of good."<sup>132</sup>*

Families differ in their experiences and opinions about out-of-home care as the quality and safety of facilities varies drastically across the nation. Some families feel that residential placements are a necessary option, particularly as a way to remove the child from a negative environment or peers. Families also recognize that some youth may be a risk to themselves or others and need an out-of-home placement for a short period of time. However, there is widespread agreement among families that the majority of juvenile detention and corrections facilities currently in use in America are inappropriate for their children. Families believe that most juvenile facilities are geared toward punishment not treatment. Families

also oppose housing youth in adult facilities for any length of time.

If their child must be held in a residential facility, families want their children to be housed in facilities that look and feel like facilities operated by the **Missouri Division of Youth Services**. Missouri uses a continuum of programs ranging from day treatment programs to secure care in small, community-based facilities located throughout the state. The Missouri facilities are some of the safest and most effective in the nation. They create a positive peer culture among youth by using a group treatment model facilitated by youth development specialists, instead of a traditional correctional approach that keeps youth in cages. Not only do youth released from the Missouri system have lower rates of recidivism, but youth and families do better overall as well.<sup>133</sup>

.....

*According to the national Survey of Youth in Residential Placement, the overwhelming majority (94%) of youth want to maintain contact with their family.*<sup>134</sup>

.....

### Key Elements of the Missouri Division of Youth Services Approach to Families<sup>135</sup>

1. The Missouri Division of Youth Services (DYS) operates on a core philosophy anchored in beliefs and concepts such as “*the family is vital to the treatment process*” and “*families as experts.*”
2. All agency leaders and front-line staff participate in family systems training and are taught to respect the family hierarchy, communicate with families in a supportive and respectful manner, and value family expertise.
3. DYS assigns a single service coordinator to work with each youth and family throughout their time with DYS. Families are engaged in the planning process within the first several days after a youth is committed by the court.
4. Service coordinators make home visits to meet families in familiar and comfortable settings and minimize the impact of the power imbalance that may intimidate or inhibit family participation.
5. Regional Family Specialist positions provide family counseling and support on a voluntary basis to interested families.
6. DYS community-based education programs are now available to parents and in June 2012, the agency had its first parent GED graduate.
7. Most youth are placed in small facilities within a 50-mile radius of their home. All Missouri DYS programs are grounded in a therapeutic and positive youth development model.
8. Facility visitation policies are flexible to respond to family interests, customs, and convenience. Transportation is also provided to ensure access to regular visits.
9. Families are welcome to tour any of the DYS facilities to review conditions.
10. The DYS State Advisory Board now includes two former DYS parents and a former DYS youth.



Regardless of the type of out-of-home setting a youth is placed in, families want their children to be safe, receive appropriate rehabilitation services, and have access to strong academic and/or vocational programs to prepare them for careers. Families also want their children to be cared for by staff fully trained and equipped for working with youth. One parent has noted:

*“These are special jobs requiring special skills. They’re working with our children’s lives. They need support too.”*<sup>136</sup>

And despite their children being in an out-of-home placement, families want to be full participants in the everyday lives of their children, which means having regular opportunities to call and visit with a child and regular communication with staff.

Involving families when the child is residing in an out-of-home placement is challenging but it can be done. Looking at practices across the country, it is clear that there are several ways to engage families as partners. Here are two examples from Texas and Illinois, which are keeping families informed and engaged while their children are away from home.

The **Texas Juvenile Justice Department** has made family engagement a top priority as part of its efforts to overhaul the entire system. Texas’ juvenile justice system has been plagued by scandals of abuse. While conditions within the Texas facilities run by the newly reconfigured Texas Juvenile Justice Department (a department formed by the merger of the Texas Juvenile Probation Commission and Texas Youth Commission (TYC)) remain problematic, the Texas experience and multi-pronged approach of working to engage families has many lessons for departments eager to improve the conditions of confinement within their facilities. The clear lesson to be learned is that involving families in a reform effort will have positive effects for both youth and families as well as system transformation as a whole.

In response to the scandal, Texas began implementing a series of reform efforts including several reforms aimed at improving the way the system works with families. There are several components of the family engagement activities implemented in Texas, including:

1. **Developing family-friendly publications** such as the Parents’ Bill of Rights (see textbox) and a family handbook explaining key features and policies within the facilities.
2. **Involving families in revising policies**, including the youth grievance system; development of the individual case plan, quarterly progress reports, and the youth’s reentry plan; participation in early prototypes of release review panels; and policies specific to family involvement.
3. **Funding family liaison positions** to be based in facilities that would help families have a voice and choice in the facility, as well as to help plan and coordinate events to increase family engagement. Family partners helped design the job description and participated in interview panels for the liaisons. Here is what one liaison said about her work:

*“I’m proud to help families obtain financial assistance so they can visit sons they have not seen in a very long time. I work with the Resource Council to*

*purchase bus tickets, lodging, or gas to help families get to the facility. I get a huge amount of pleasure out of seeing these special family reunions. The mother of one youth was deaf and hadn't seen her son in over a year. It was wonderful to see mother and son embrace after such a long separation.*"<sup>137</sup>

- 4. Hosting a series of family engagement events** such as orientation days, academic open houses, graduation and educational banquets, and family days. Here is what one liaison said about the kind of activities they have arranged for families:

*"We've staged a fashion show for the girls and their family members at which the girls designed their own clothing, modeled it on the red carpet, and participated in an actual photo shoot. Recently we had a professional photographer come in to take graduation photos and family photos the family could purchase."*<sup>138</sup>

- 5. Training on effective family engagement** for juvenile justice administrators, staff, and key juvenile justice stakeholders. Facility staff are trained to keep safety foremost on their minds, so they may need to receive guidance on how to maintain security while being respectful toward families who are visiting with their children. Here is an example:

*"Our youth escort their family members to the school where they are free to wander the halls, introducing their families to their teachers and showing off their classrooms. Staff members hang back and supervise the youth and families from a distance, giving the participants a greater sense of attending the type of open house one might expect at a regular public school."*<sup>139</sup>

- 6. Obtaining regular feedback** from family members by surveys that are distributed by mail, electronic mail, and available in the visitation areas or at special events.<sup>140</sup>

**DuPage County, Illinois**, has developed and implemented a comprehensive philosophy for respecting and involving families (see pages 62 and 63). The change in policy began in 1999 when DuPage County began to address concerns about the rising costs of court-ordered placement. They realized that providing services to youth, without addressing family or environmental factors, were ineffective in resolving the youth's delinquent behaviors. DuPage County has been working to become more family-friendly for years, making incremental changes that have made a significant difference in the lives of children and families in their community.

First, DuPage County implemented family-based, evidence-based approaches such as MST and FFT in 2000. Then DuPage County staff received training and began using the Youth Screening and Assessment Instrument (YASI) to identify youth strengths, risk, and needs. Probation Department leaders believed that community-based interventions could be employed to address effectively the needs and risks of youth. Finally, a Parent Involvement (PI) workgroup was formed as part of the MacArthur Models for Change initiative to develop and implement a coordinated effort to engage families in juvenile justice.



Do families have these rights in the jurisdiction?

## Texas Department of Juvenile Justice Parents of Incarcerated Children - Bill of Rights

Parents are partners with correctional staff, educators, and treatment providers in their child's rehabilitation and shall be encouraged and assisted to actively participate in the design and implementation of their child's treatment, from intake through discharge.



Parents of children who have been committed to the care, custody, or control of the Texas Juvenile Justice Department have the following rights:

1. As a parent, you have the right to know that you and your child will be treated fairly regardless of race, religion, national origin, language, economic status, disability, gender, sexual orientation, or age and that each child will be treated as an individual.
2. As a parent, you have the right to expect the agency to provide a safe, secure, and sanitary environment for your child.
3. As a parent, you have the right not to be judged, blamed or labeled because of your child's incarceration.
4. As a parent, you have the right to be a vocal and active advocate on behalf of your child.
5. As a parent, you have the right to be an active participant when decisions are made about your child.
6. As a parent, you have the right to be informed about matters related to your child's welfare.
7. As a parent, you have the right to access your child's records.
8. As a parent, you have the right to meaningful participation in your child's treatment, including medical treatment, behavioral health treatment, and education.
9. As a parent, you have the right to communicate with your child, including visitation, telephone, and mail.
10. As a parent, you have the right to be assured that all TYC staff are professional, courteous, and respectful.
11. As a parent, you have the right to know that TYC will take immediate corrective action to protect the rights of parents and youth.
12. As a parent, you have the right to meaningful participation in your child's transition-planning — from intake through release, parole, and eventual discharge.



As mentioned in our discussion of common misperceptions about families, the PI workgroup initially began with the attitude of holding parents more accountable for their child's behavior. The group quickly realized that such an approach would be ineffective, and it moved from a parent-accountability philosophy to a parent-involvement philosophy because it understood that "approaches which are strengths-based, culturally competent, and based on the individualized needs of the family are most effective in helping families initiate and maintain positive youth and family outcomes."

The working group developed several core concepts of family-centered justice and then implemented a variety of activities to engage families:

- 1. Hosting a conference**, "Parental Involvement: A Key Piece of the Puzzle," to allow stakeholders an opportunity to learn more about the benefits of parent involvement, effective strategies for involving parents at key points in the system, and ideas for minimizing the barriers to parent involvement.
- 2. Holding focus groups with parents and using feedback surveys.** Two focus groups helped system stakeholders understand what is important for getting families engaged and keeping them involved during probation. The feedback obtained from these focus groups was used to create a parent satisfaction survey for parents to express their opinions about their child's time on probation. The parents decided what questions to ask on this survey. Starting in 2009, the county began administering surveys of parents via quarterly phone calls to gauge their level of engagement in and satisfaction with the probation process and the extent to which the Department provided opportunities for their involvement. The results continue to provide DuPage County with a measure of progress.
- 3. Hosting a weekly parent support group and creating materials for families**, specifically a Probation Family Handbook available in English and Spanish. Parent support was identified as a need by parents who participated in the original parent focus groups. The content and design of the handbook was created in partnership with parents. Parents contributed their ideas and reviewed drafts to ensure that the information was relevant and beneficial. The handbook includes information about the various meetings parents will have with probation staff prior to and at the start of a term of probation, the roles and responsibilities of the caseworker, and the financial obligations the family will incur as a result of a probation sentence.
- 4. Making changes to mail and visiting policies at the juvenile detention center** to become "*Parent Friendly*." The Illinois Department of Juvenile Justice only requires a minimum of two visiting days per week, with one visiting day's hours during the daytime and the other in the evening. In August 2010, DuPage revised its policy to allow visits on four days of the week, two days with daytime visiting hours, and visiting hours on both days of the weekend. Parents have the option to visit on all of these days. The policy also teaches detention officers how to be 'parent friendly' when interacting with families (see below). Changes were also

made to resident mail procedures. The new policy encourages weekly written correspondence between a youth and his or her family, including a discussion of the youth's weekly goals.

5. **Making changes to the physical environment** to make it more comfortable for families. Waiting rooms have been enhanced and are now family-friendly with “new furnishings, lighting, magazines, children’s toys, and paintings” to provide a more comfortable and productive experience.
6. **Training for staff on how to implement family-centered case planning methods.** The overall goal of this effort was to enhance the partnership with parents and families in the case planning and case management process and to facilitate their ownership of the solutions to change their child’s behavior. Strategies to promote effective casework with families include: to further the definition of parent involvement and identify behaviors parents may exhibit along the path to empowerment; family meeting observations; providing feedback to caseworkers on their abilities to involve, engage, and empower families; and more widespread use of effective family involvement strategies through training and coaching.<sup>141</sup>



**Tip:** Provide specific guidance to staff on how to be family friendly.

### An Excerpt from DuPage County’s Visitation Policy

#### Remember our Parental Involvement Focus



Create and sustain a family centered Juvenile Justice System where families are engaged, involved, and valued.

- Show parents they’re valued by being “Parent Friendly”
- Be punctual in providing visitation services
- Be responsive in addressing their special visitation needs/schedules
- Take the time to engage parents by introducing yourself, speaking complimentary about the good qualities you’ve experienced with their child and/or the positive efforts their child is making within the program
- Inquire if they have questions you can answer
- Offer/provide them a tour of the facility including their child’s sleeping room and, when possible, have the child accompany you on the tour so s/he can personally share information with their parents about the program and their daily schedule
- Offer parents a copy of our Parent Handbook and other available program and resource materials

Thank parents for visiting and reinforce our availability should they have questions or requests.

## DuPage County Philosophy for Working with Families

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We believe...

- You should be treated with dignity and respect
- Your family's knowledge, values, beliefs and culture should be incorporated into the planning and delivery of services
- You should receive timely, complete, and accurate information in order to effectively participate in decisions
- You are an important and powerful participant in your child's probation
- You and probation staff should work together to design, implement, and monitor the services provided to your child



Our goal is to partner with you as a family. We value and appreciate you as the single greatest influence in your child's life. You can bring about positive change for both your family and the whole community. We encourage you to communicate openly and regularly with probation staff because we share a common goal of success for youth. Together we can develop plans and goals to enable you and your child to have the best possible probation outcome.



### Quick List of Ideas

1. Ensure that families and justice system stakeholders have a range of community-based programs, including evidence-based programs, to choose from to meet the needs of youth and public safety.
2. In both community-based and residential programs, teach youth skills to cope with peer, school, family, and neighborhood problems, and provide families with skills and resources to cope with the difficulties of raising teenagers.
3. Replace traditional, large, secure incarceration facilities with small rehabilitative facilities close to the community.
4. For all out-of-home placements, facilities should develop comprehensive family engagement strategies to maximize youth-family contact and facilitate family-staff communication to include:
  - a. Using an expanded definition of family (see the definitions on page 5 of this workbook) for visitation and mail correspondence.
  - b. Creating a welcoming environment for families through creating special materials for families to explain their rights and the policies of the facility, hosting special events, soliciting regular feedback from families, and making the physical environment more inviting and comfortable for families.
  - c. Ensuring that visitation hours are convenient for family members, providing low- or no-cost phone services, and assisting with transportation to aid regular communication between youth and families.
  - d. Providing training and support to staff to facilitate effective staff-family interactions and promote regular communication.

## 5. YOUTH ARE PREPARED FOR A SUCCESSFUL FUTURE

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Up until now this workbook has focused on how to develop partnerships among families, youth, and systems to address youth's needs and prevent reoffending. Many readers probably think that if the justice system could manage to do these two things effectively—remedy deficits and reduce risks—the system would be a success. However, families want more for their children. As stated by the Los Angeles County Youth Planning Council:

The lives of young people matter. They matter to their families, to their neighbors, and their communities. But for those youth whose lives have taken a wrong turn, who've made poor choices...the kids we've labeled "bad" who we have written off, or for whom we have lost interest, it is these youth whose lives need to matter more. Whether we make the moral, social or economic case, the truth is that we as adults have failed these young people and, if we don't get better at what we do, we all stand to lose...be it lost human potential, loss of family, or increased social costs.<sup>142</sup>

Justice systems need to move beyond the paradigm of reducing and managing risk to unleashing the untapped potential within the children they are supervising. Justice systems not only should ensure that youth are prepared for life adults, but also should prepare youth to become positive leaders in their community.

Many youth who commit serious offenses are youth with creative and entrepreneurial spirits – talents that in affluent communities are recognized, nurtured, and developed because they know that these youth will become the future leaders of their community. In fact, many youth in the justice system are already natural leaders; their leadership qualities enabled them to lead their peers to participate in destructive activities. As youth participants from YouthBuild, a program profiled below, noted,

*"I considered myself to have leadership potential, but no outlet to express that potential."<sup>143</sup>*

Families want justice agencies to tap into these strengths and help youth see beyond their current circumstances to help youth envision and develop the skills to realize a brighter future for themselves. In this section, we profile a variety of ways to ensure that youth are prepared for their future.



### Ensure That Youth Have the Skills They Need to Succeed as Adults

All youth, whether or not they have been involved in the justice system, need support from caring adults to make a successful transition to adulthood. Agencies need to take proactive steps to help youth develop the skills they need to navigate graduation from high school, postsecondary education, employment, and other life milestones.

One tool that is available to help justice agencies prepare youth for adulthood is the **Casey Life Skills Assessment (CLSA)**. This tool is a free, online, youth-centered tool that assesses the life skills that youth will need (see textbox). It was designed for youth ages 14 to 21, regardless of their living situation, and is as free as possible from gender, ethnic, and cultural biases. The CLSA can be used in a collaborative conversation between the youth, family, and other service providers. After conducting the assessment, with support from other adults, youth can develop an individual learning plan to make sure they identify ways to learn the skills they will need to be successful.<sup>144</sup>

In addition to youth-directed individual learning plans possible with the CLSA, justice agencies should evaluate the educational and programmatic offerings available to youth in residential settings to ensure that they are adequately prepared for college or careers. In Pennsylvania, the Pennsylvania Council of Chief Juvenile Probation Officers, in partnership with residential and day-treatment facilities across the state, have formed an alliance known as **PACTT**, which stands for the **Pennsylvania Academic Career/Technical Training Alliance**. Participating facilities agree to align their education curricula with state standards issued by the Pennsylvania Department of Education as well as offering career and technical education programs in high-demand areas (e.g., culinary arts, auto body). PACTT also works to ensure that schools in the community cooperate by providing education records in a timely manner and that credits transfer properly. Finally, PACTT helps facilities teach youth the “soft skills” they need to succeed in the market through a uniform manual and the development of a “student employability portfolio.”<sup>146</sup>



## Strengthening Youth Capacities as Parents

The literature on the needs of children of incarcerated parents has focused predominately on parents in the adult criminal justice system, however many youth involved in the justice system are parents themselves. Helping these youth develop and maintain bonds with their children is an emerging concern for juvenile justice agencies. Here are examples of programs working with young mothers and fathers.

**The Baby Elmo Program**, a program currently being piloted in a number of jurisdictions across the country. A project of the Georgetown Early Learning Project and the Youth Law Center, the 10-session program focuses on strengthening family ties between incarcerated teen fathers and their infants using a standardized curriculum presented by facility personnel. The teen parents are taught how to praise, play, and interact with their children through the use of videos, Sesame Street Beginnings, provided by the Children’s Television Workshop. After learning a parenting lesson using the video, the fathers play with their own children for an hour practicing what they have learned. Early results of the program are promising. The teen parents develop an awareness of the role they can play in their child’s development. In addition, even in a relatively short time period, the babies appear to develop bonds with their fathers.<sup>147</sup>

The **Center for Young Women's Development** in San Francisco, California, coordinates two programs for young mothers. Young Mothers United (YMU) is a youth-led advocacy project that provides support for pregnant and parenting young women (ages 16 to 24) during incarceration. The weekly parenting classes cover topics such as healthy relationships, the impact of family violence, and gender roles. This program also provides support during their court cases in the justice system or child welfare system. A separate program, Sister Circles, works with these young women once they are released from custody. Sister Circles combines weekly healing circles and community-building activities with conversations about the issues young women face trying to stay out of the system. The Center for Young Women's Development reports that 92% of Sister Circle participants did not reoffend while participating in their programs.<sup>148</sup>



## Leadership Development

Finally, families want to ensure that their children are proactively being developed as leaders. Adolescence is a time of identity development and rather than developing a positive self-identity, justice system involvement can instill or reinforce negative identities for youth such as “criminal,” “offender,” or “gang-banger.”

Justice agencies can help to counteract this labeling effect by developing special programs to foster the development of positive identities for youth. For example, the **Azteca Soccer Program** was formed by an entrepreneurial probation officer in Santa Cruz County. She wanted to help the local youth in her Watsonville community develop identities as soccer players. Latino youth from rival gangs, Norteños and Sureños, come together as teammates and play soccer together in an adult recreational league. Due to high demand, a second team, the Toltecas, was also formed.

Through practices and games, adult players and coaches mentor youth. The youth learn sportsmanship, leadership skills, conflict resolution, and anger management, all while learning self-discipline and responsibility. The games also provide an opportunity for families to get together and support their children. The family members help with fundraising projects to support the team, attend games, and encourage their children to do their best on and off the field. This program is just one example of how justice agencies can use creativity to identify opportunities to help their youth develop an identity beyond their criminal activities.<sup>149</sup>

In contrast to this local program, a nationwide program that has had a substantial impact on developing youth leaders is **YouthBuild**. YouthBuild began in 1978 as a local, community-based organization in East Harlem. The program has developed into a nationwide network of 270 organizations with a variety of funders, including the U.S. Department of Labor. These YouthBuild organizations annually enroll approximately 10,000 highly disadvantaged young people in programs that combine education, job training, service, and leadership development. YouthBuild provides trade and job skills to youth by giving them opportunities to build or rehabilitate houses while also earning a GED or high school diploma.

A substantial proportion of youth participating in YouthBuild programs have had justice system involvement. According to the 2010 survey of entering students to the program, 32% have been adjudicated and 11% have felony convictions. The program has documented success with these students. Every dollar spent on a YouthBuild student with a criminal record will result in a return on investment ranging from a minimum of \$10.30 up to \$43.80. YouthBuild is proving that youth in the justice system can be developed into successful leaders:

### Life Skills Assessed by the Casey Life Skills Assessment<sup>145</sup>

Life Skills	Competencies Assessed
Daily Living	Meal planning and preparation, cleaning and food storage, home maintenance, and computer and internet basics.
Self Care	Healthy physical and emotional development such as personal hygiene, taking care of one's health, and pregnancy prevention.
Relationships and Communication	Developing and sustaining healthy relationships, cultural competency, and permanent connections with caring adults.
Housing and Money Management	Banking and credit, finding and keeping affordable housing, budgeting, and living within one's means.
Work and Study	Basics of employment, legal issues, study skills, and time management.
Career and Education Planning	Planning for career and postsecondary education pertinent to older youth.
Looking Forward	Youth's level of confidence and internal feelings important to their success.
Permanency	Embedded within all of the skill areas of the assessment are 20 items that assess a youth's connection to trusted adults, community of support, and overall interdependent connections.

[YouthBuild] is a very rare example of a large-scale leadership program primarily for young people who have dropped out of high school, [and] its philosophy challenges the dominant approach to that group. In general, major institutions, from schools to law enforcement agencies, treat them as threats to themselves and their communities, and offer – if they offer anything at all – a combination of surveillance, remediation, discipline, and punishment to try to alter their destructive trajectories. In contrast, YouthBuild treats them as potential civic leaders and invests in their leadership skills.<sup>150</sup>

YouthBuild is intentional about leadership development for the youth involved in their programs, as well as for alumni.

*I'm not the one that's fighting – I'm the one that's helping now.*<sup>151</sup>

*I get so much joy out of helping others and being a leader – that's what I'm doing – because that's what I consider a leader to be – someone who will encourage and motivate.*

A survey of YouthBuild graduates found that only 2% were undecided about their future career trajectories. The overwhelming majority were very optimistic about their choices and futures.

*I'm healthy, active, and doing what I never thought I would be doing – working, going to college, and expecting my first child.*

*I believe in myself and therefore, I have a future.*

Allowing for multiple choices, these YouthBuild graduates have high aspirations for their careers:

- 52% envision wanting to help youth in some capacity;
- 32% want to work at a non-profit and 31% want to start their own non-profit;
- 32% want to pursue community organizing;
- 30% want to pursue social work;
- 27% want to start their own for-profit business and 16% want to work for a for-profit company;
- 22% want to work for the government and 17% in politics;
- 19% want to go into a construction business; and
- 16% want to teach.

In addition to supporting the expansion of YouthBuild programs, child-serving and justice agencies should revisit their current programs to ensure that youth are being cultivated as leaders.





## Quick List of Ideas

1. Ensure that youth are actively learning all the skills they need to become successful adults.
2. Align educational programs and offerings for youth to ensure that they can go to college or have the skills they need for employment opportunities.
3. Help parenting youth develop parenting skills and develop and maintain bonds with their children.
4. Connect youth to programs and opportunities to develop a positive self-image and identity.
5. Actively develop the leadership potential for youth involved in the justice system.

## BEYOND DETENTION: Family and Community Involvement in Santa Cruz

This is an adaptation of a talk given by Judith Cox, former Chief Probation Office for Santa Cruz County, at the 2007 JDAI National Inter-site Conference in Dallas, Texas.<sup>152</sup>



*It would probably be a safe bet to say that virtually everyone in juvenile justice has been exposed, in some manner or form, to the professional literature that tells us that the elements of an effective juvenile justice system should be community-based, family-centered, strengths-based, and individualized. Why is it, then, that we find this so difficult to do?*

*We are remarkably the same – despite vast geographic distances, varying fiscal climates and significant demographic and political differences, the juvenile justice systems in the United States are strikingly similar. They are built upon vast expenditures on secure detention and commitment facilities – not on communities, kids, and families. We are a “one size fits all” service delivery system which still relies on suppression and incapacitation as the predominant operating principles. If that were not the case, we would see a system in which our investments in both time and money would be primarily spread among community-based stakeholders, rather than held and controlled by the formal system.*

*I want to share with you how I have been affected by my work with community-based organizations in Santa Cruz. We have been able to dramatically reduce our use of detention by implementing the eight core strategies of the Juvenile Detention Alternatives Initiative (JDAI) and by creating a rich array of community-based interventions for teens without compromising public safety. I want to share with you how that happened. There are four people who stand out, and a bit later in time, a fifth, who have taught me something. They spoke truth to power in a gentle way, even though they were constantly frustrated in their efforts to be included.*

*Albino Garcia was a gang interventionist then and is now a spiritual leader in New Mexico. He was on his own path of personal transformation in those days and through those changes he demonstrated something powerful about the direction the formal system should go. The others included Walter Guzman who is no longer with us, OT Quintero and Nane Alejandrez from Barrios Unidos, and David True.*

*These men were not just community-based but of the community, and they were trying to knock on the door of the system for only one reason – they loved kids, and felt certain they could help. I suspect they also had a pretty good idea that what we were doing wasn't helping much. They understood that where I saw a booking, an intake, a petition to be filed, a social study to be done – they saw a family in crisis. Not that I didn't care for youth – we just had different primary perspectives. All five have somewhat poetic aspects to their personalities and they all spoke to me a lot about the pain and suffering the families and*

*teens were enduring in their lives. I remember feeling that perhaps they were being overly dramatic in an effort to make a point.*

*Now, years later, I see that what they were trying to communicate was the truth. I know this now, because as we put on the brakes on our use of detention and slowed down that runaway vehicle, we had to get into a new vehicle that took us more directly into the community and into the homes of families.*

*Most of you have probably heard that well-known quote from Booker T. Washington – that there are “two ways of exerting strength—one is pushing down, the other is pulling up.” We have tried to find our strength as a system and to nurture the strength in the teens by “pulling up.” The vast and diverse array of activities we have are now nearly impossible for me to describe to others. In the past, the system could be described as including detention, diversion, supervision, placement prevention, out-of-home placement, and post-dispositional residential or commitment programs. We had a few variations on that basic theme, but young people were cycled into one or another of those chutes. Now, the array of our formal justice system choices is richer and more varied, and, more importantly, there is a dizzying network of services provided by community partners. The beauty is that it has taken on a life and creativity of its own that we don’t have to control. Just as the formal system has evolved and built on previous experiences, the community partners have done the same.*

*For example, a community-based organization was given a small contract to provide a somewhat traditional weekend community service program in lieu of a weekend in detention that was at one point a commonly imposed punitive sanction utilized by the court for probation violators. In talking and working closely with the young people, the agency saw that the youth wanted help in employment readiness, job seeking, and supported employment. The agency created these programs, as well as a youth leadership group.*

*The group then developed and implemented a variety of strategies to make sure that youth and family voices and perspectives were heard, such as parent/youth dialogues; parent/youth summits; political advocacy and organizing with legislators; and an ethnographic project in which justice system-involved youth made audio recordings of youth in out-of-home placement which were played to policymakers. This kind of program building as a response to the desires and needs of families and youth occurs all over our jurisdiction.*

*This sharing of power and control means letting go and sharing resources. By sharing significant amounts of resources, we are priming the pump, the water starts to flow, and then gushes. We have found that all of us have the ability to attract more resources if we put it all on the table – and it is the only way to create numerous individualized responses and opportunities to replace the “one size fits all” system. We are still in the vehicle, but now not only are there others in the vehicle with us, they actually take their turn in the driver’s seat.*

*Another example is the developmental path that involves the role of parents and families. It also illustrates the unique role of community partners in shaping how the voice of parents can be brought forward in a manner that they choose.*

*We started by having family conferencing at intake; we have paid family partners who advise on policy issues and we have adopted the tenet of “no meeting about us, without us.” We have an English/Spanish video that explains the court process and parent-generated information brochures created by parents for parents. We have put great emphasis on family-centered solutions like wrap-around and family preservation, and we do not make decisions about out-of-home placement without parents in the room.*

*We have learned that great wisdom resides within families. Parents told us they wanted support as families. Our community partners told us about a family strengthening curriculum, *Cara y Corazón*, that honored cultural and family traditions. The communities requested that we bring the training in for everyone (over 200 people came to learn about it). We received commitments from 20 agencies to become trainers and to actually deliver the family strengthening curriculum to parents throughout the county. Now that parents have attended these sessions, they find that they want to continue meeting to support each other. These groups of parents can then use their collective voices to change the system, strengthen their families, and help their children – all in the manner they choose. I couldn’t have predicted or designed this.*

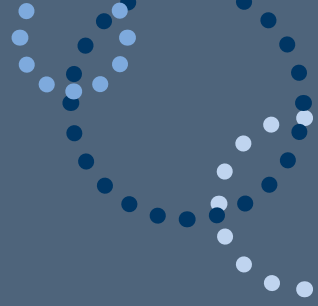
*However, I also want to offer a word of caution. We have been working hard with the Burns Institute to identify and eliminate disparities in treatment for youth of color in our system. As part of that effort, we did a survey of Latino parents and, despite the whole list of things we have done to change our culture, the surveys still tell us that parents are not having a good experience when they go through court. This lesson means that in the process of implementing JDAI, our rhetoric about the value of family voice and sharing power should always be challenged. If you ask, and folks feel safe to do so, they will tell you and, if they tell you something you don’t like to hear, you must accept it as the truth.*

*I live in a powerful place, a place where Cesar Chavez organized and marched and where his legacy is still felt. Yet, the children and grandchildren of those who marched are still, today, the largest group to be incarcerated. I now know that the community leaders would not have chosen to talk about the suffering in the community, if it had not been the predominant message on their minds. Within the values and traditions of families and cultures there is a power. Although the starting point is suffering, from suffering a spark of hope can emerge; from hope the will to struggle is born; in struggle a community is formed; with community justice is possible; and with justice, finally, there is freedom. Therefore, there is great power available within the cohesion of community.*

*All of your communities have people just like Albino, Nane, OT, Walter, and David. People who are of the community and are passionate about helping kids. Each of your communities and families have their own rich and unique histories and cultures from which lessons can be learned and in which solutions reside. I would urge each of you to give up a bit of your control and power and trust the wisdom that resides in your home place. It’s very simple – let other people in the vehicle with you, take turns driving, and sample some of their music on your journey!*

# PART THREE

## THE FAMILY MODEL



*“The more involved the family is, the less likely a youth is to recidivate.”*

### PUTTING IT ALL TOGETHER: THE FAMILY MODEL

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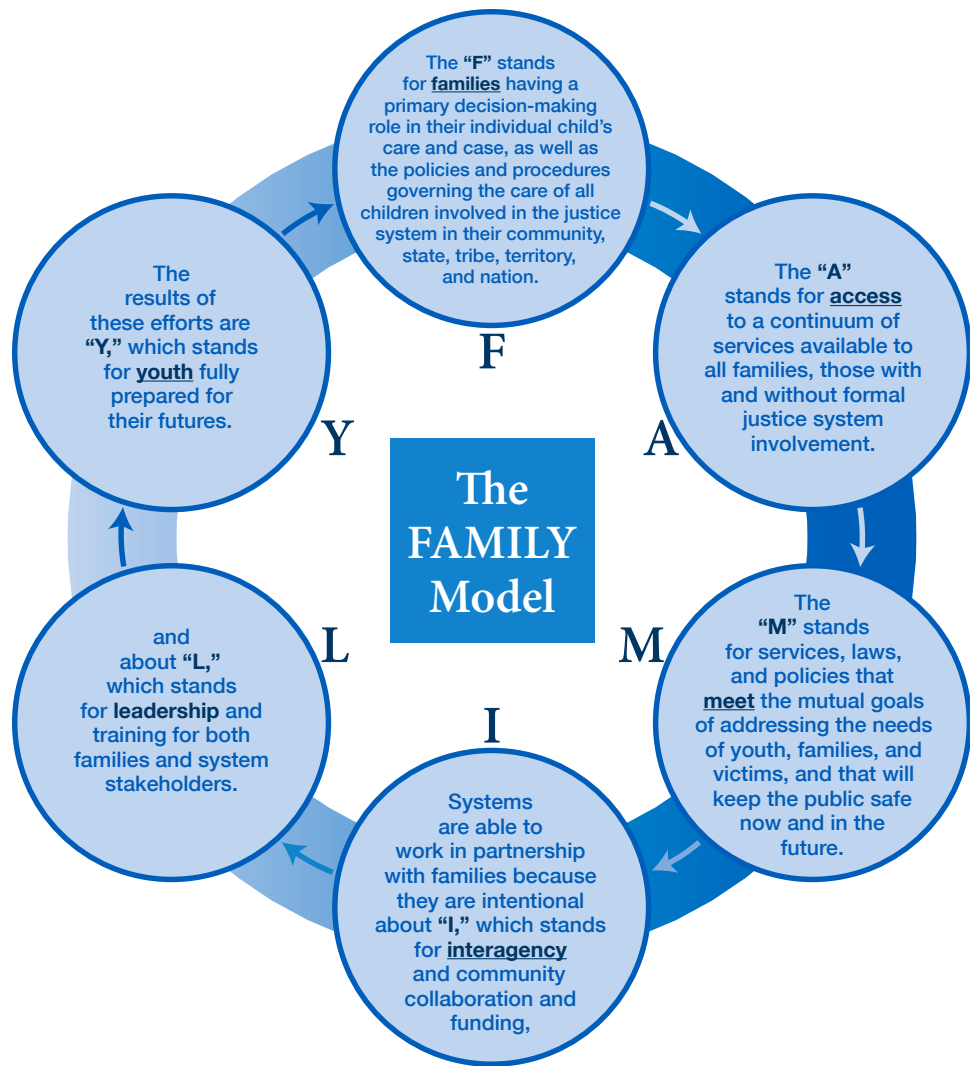
After evaluating all of the available research and literature on family engagement, and integrating the insights from our site visits and surveys, it is clear that several system-level factors need to be present for the justice system to meet the needs of youth and families effectively. The Five Features of a Transformed Justice System provides specific examples and ideas for systems to implement; this section switches focus to identify the essential components that make those programs possible. In other words, the previous part of the workbook looked at “what” systems should be doing, whereas this part will look at “how” systems can actually get the programs implemented.

The FAMILY Model, with the word “family” serving as a mnemonic device, provides a framework for understanding how justice systems can partner with families. This model is designed to address the reasons and barriers that system stakeholders identified for why family engagement is difficult to implement.

The FAMILY Model borrows heavily from the values and philosophy of the principles of family-driven care currently used in the system of care approach for children with mental health needs.<sup>153</sup> However, our model has appropriate adaptations to reflect the safety and security concerns central to justice agencies. Nothing in this FAMILY Model should be interpreted as privileging family perspectives over the need to keep the public safe. This model simply reflects what justice agencies have already found by implementing family engagement efforts, *“the more involved the family is, the less likely the youth is to recidivate.”*<sup>154</sup>

In conjunction with this description of the FAMILY Model, we have created a comprehensive assessment (Tool 3 in the Resources section of this workbook) to assist justice agencies in evaluating how well they are adhering to the principles outlined here. Whether or not readers conduct the full assessment, we encourage reviewing it for greater detail about how the model works.

We believe that justice systems able to achieve the Five Features by implementing the FAMILY Model would be the definition of “best practice” in partnering with families.



Families and youth have improved outcomes when they are active participants in decision-making. In line with the title of this workbook, *Family Comes First*, the FAMILY Model starts from the premise that family and youth experiences, their perceptions of their strengths and needs, and their visions and goals for the future should drive decision-making about all aspects of the system. **The “F” stands for Families having a primary decision-making role in their individual child’s care and case, as well as the policies and procedures governing the care of all children involved in the justice system in their community, state, tribe, territory, and nation.**<sup>155</sup>

One of the main reasons why the system has failed to work effectively with families is the lack of trust that exists between families and system stakeholders. Justice system agencies need to take proactive steps to build this trust. One way to do this is for administrators and staff to actively demonstrate the value of family partnerships by sharing power, resources, authority, responsibility, and control with them. As one program coordinator noted, “*Family members are still the minority. They feel like there is a space to be heard but they are not being listened*”

to as equals.”<sup>156</sup> This model seeks to rectify this power imbalance. One of the first places to start is by adding family members to policy-making and oversight bodies, and rethinking the way meetings and service provision are conducted. All meetings should occur in welcoming environments where family and youth voices are heard and valued, everyone is respected and trusted, and it is safe for everyone to speak honestly.

Second, for family members and youth to be full participants in a shared decision-making process and be able to make informed choices, they will need to have accurate, understandable, and complete information and data, as well as sound professional expertise and guidance. Thus, systems not only should prepare guides and resources to help families understand the operation of the justice system, but they also should provide regular opportunities for communication between families and system stakeholders (i.e., family-to-system communication and system-to-family communication) at all stages of the system (i.e., from entrance to exit). Obtaining input from families and youth should not be a one-time event, such as during the initial intake assessments; rather, families should become the primary decisionmakers throughout the child’s contact with the justice system. Unless there are objective reasons why the families’ decisions would not address public safety of victims concerns, system stakeholders should defer to family judgments about how best to resolve their child’s behavior.

Finally, for the FAMILY Model to work, all children and youth will need to have a biological, adoptive, foster, or surrogate family voice advocating on their behalf. As described on page 7, justice agencies may need to identify family members for youth.

For families and child-serving and justice agencies to partner and meet the needs of youth and public safety, they will need access to a range of options that can be tailored and deployed as necessary. **The “A” stands for Access to a continuum of services that can be accessed by the family without regard to whether the child is in the system.** Jurisdictions need a full continuum of services that are available at the times and places where families can use them. Families also need to be aware of their options to address the concerns raised by parents in the focus groups: *“I went [to the justice system] cause I felt like I had no other choice. I thought I had exhausted all my choices, all of my options. I felt like I had nowhere else to go.”*<sup>157</sup> For many services, this means that systems will need to reevaluate eligibility requirements for services so that families who earn too much to qualify, but not enough to afford private care, can be served. Further, families should not have to accept stigmatizing labels to be served properly. Finally, services provided should help to develop family capacity, making use of the existing strengths of families so that they eventually are able to resolve problems on their own without further justice system involvement.

Since the research indicates that justice system involvement often creates or exacerbates problems for youth, with the unintended consequence of increasing rather than decreasing recidivism, the FAMILY Model calls for widespread removal of youth from justice system processing. Child-serving and justice agencies should revisit laws and policies that govern the overall justice system, such as zero-tolerance policies, that needlessly saddle youth with a criminal record. **The “M” stands for services, laws, and policies that Meet the mutual goals of**

**addressing the needs of youth, families, and victims and that keep the public safe.** Youth who can be diverted safely away from the justice system should be. Further, youth should be removed from the adult criminal justice system and returned to the juvenile system.

Services offered by the existing juvenile justice agency also may need to be modified. The model calls for an expansion of the current evidence-based practices in juvenile justice and for stopping the use of practices that have been proven ineffective (e.g., boot camps, scared straight programs). However, some communities, particularly African-American, Latino, Native-American, and Asian-American communities, have not necessarily been well-served by the existing evidence-based approaches. The model explicitly encourages systems to develop and evaluate new programs and services to meet the needs of currently underserved populations. Further, families should have opportunities to choose a different provider or service when their needs are not being met by a current service provider.

Systems are able to work in partnership with families because they take a proactive approach to creating the infrastructure to support these programs and policies. Many of the programs and innovative practices profiled in this workbook are the result of interagency and community collaborations that draw upon the strengths of the local community. One JDAI coordinator describes this benefit: *“Involving community builds a sense of shared responsibility for court-involved youth and families.”*<sup>158</sup> **The “I” stands for Interagency and Community Collaboration and Funding.** The model encourages agencies to place an intentional focus on building and sustaining collaborative efforts by overcoming bureaucratic barriers, avoiding turf issues, and sharing credit for service delivery and results. In many jurisdictions, intentional efforts to connect to existing organizations and invest in new family organizations will be necessary. Another component essential to the functioning of the FAMILY Model is the recognition that family-voice organizations exist to help systems meet the needs of families. Family-voice organizations should be adequately funded and supported to develop and sustain a diverse group of families that collectively and effectively become the independent “family voice” to participate in overall system reform efforts. Further, family-voice organizations will need to recruit and engage diverse family leaders, as well as nurture their development as leaders, to work effectively with justice system and other agencies.

**A critical element underlying the FAMILY Model is the need for system stakeholders and family members to exercise leadership in moving toward a family-driven approach to juvenile justice. As noted by a director of a juvenile probation department, the issue of family engagement needs “a champion at a high level to make sure this happens.”**<sup>159</sup> **The “L” stands for Leadership and Training for both families and system stakeholders.** Administrators should allocate staff, training, support, and resources to make family-driven practice work at the point where services and supports are delivered to children, youth, and families. Families and youth also should be organized to use their knowledge and skills collectively as a force for systems



transformation. Families and family-run organizations engage in peer support activities to reduce isolation, gather and disseminate accurate information, and strengthen the family voice.

**The final letter, Y, stands for Youth fully prepared for their futures.** As indicated by the results from the system stakeholders surveys, the number-one benefit of involving families is that youth have better outcomes. As child-serving and justice agencies reevaluate and shift children away from the justice system, existing juvenile justice agencies should be able to concentrate their efforts on the more limited number of youth who are currently engaged in activities that pose a significant risk to public safety. As noted by Bart Lubow in his “my child” test:

*I want a [juvenile justice] system that’s devoted to youth who pose genuine public safety risks, not a system that operates with a huge net, pulling in youth who don’t need court interventions and who the research indicates quite clearly are better off without system intervention. But I want this not simply because I don’t want my kids’ adolescent behavior to be criminalized, but because I want juvenile justice to succeed with that much smaller number of youth who we now confine in these devilish institutions.<sup>160</sup>*

In creating a juvenile justice system that truly reflects what families want for their children, justice agencies not only would respond to youth’s behavior problems, but also would make sure that youth are fully prepared for life as adults. Further, agencies would foster the youth’s innate leadership potential and take concrete efforts to help remove the stigma and collateral consequences attached to system involvement.

## MOVING FORWARD AS PARTNERS: POLICY RECOMMENDATIONS

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Implementing the following recommendations will help to make the Five Features of a Transformed Justice System and FAMILY Model a reality.

### Recommendations for Federal Policymakers and Stakeholders

1. Each agency and program having contact with children and families involved in the justice system should hire or appoint a staff person, preferably a family member or former system-involved youth, to coordinate family engagement efforts and activities.
2. Every justice system agency and program should conduct the comprehensive assessment (Tool 3) included in this workbook and develop specific strategies to implement the FAMILY Model.
3. Each agency having responsibility for children and youth should identify existing federal funds (e.g., Medicaid, Title IV-E) and funding mechanisms (e.g., waivers available) that can be used to support family engagement programs and related services to families in the justice system. In addition, new federal funding resources should be made available to support family engagement.
4. A National Technical Assistance Center on Family Engagement should be created to provide support to state and local justice and child-serving agencies interested in starting or expanding family engagement programs.
5. A National Family Resource Center should be established to serve families involved in the justice system. This new center would provide centralized resource and referral information and would coordinate efforts of existing crisis and family support centers to better serve the needs of justice-system-involved families.
6. The federal government should also fund state or regional Parental Information Resource Centers for families involved in the justice system. These centers would provide information to families and should be co-located or coordinated with existing parent centers already funded by other child-serving agencies.
7. The federal government should fund new research initiatives to begin to expand upon the existing evidence base for family engagement programs.

## Recommendations for State Policymakers and Stakeholders

1. Each agency and program having contact with children and families involved in the justice system should hire or appoint a staff person, preferably a family member or former system-involved youth, to coordinate family engagement efforts and activities.
2. Every justice system agency and program with responsibility for children and youth should conduct the comprehensive assessment (Tool 3) included in this workbook and develop specific strategies to implement the FAMILY Model.
3. Each agency having responsibility for children and youth should identify existing federal and state funding sources that can be used to support family engagement programs and related services to families in the justice system.
4. Each agency having responsibility for children and youth should identify existing family support organizations and initiatives that can be tapped or expanded to provide support to families involved in the justice system.
5. Collectively, the child-serving and justice system agencies should examine state fiscal policies that incentivize incarceration and residential placement of youth over community-based options. States should develop fiscal strategies to fund prevention, diversion, and family and community-based programs that will respond to youth and family needs such as the programs profiled in this workbook.
6. State justice agencies and court systems should help develop a basic guide to the justice system for families that can be tailored or expanded for use by local jurisdictions.
7. State justice agencies and court systems should create training opportunities, for example by hosting a statewide conference on family engagement, to allow juvenile justice stakeholders and families to share ideas about how to engage families.
8. State justice agencies and court systems should begin to develop data collection mechanisms to track family engagement and outcomes.



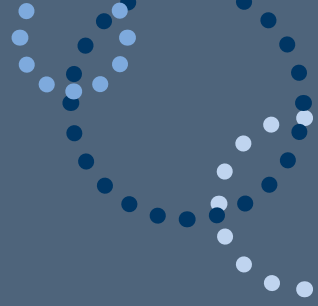
**Tip:** Check out “Unlocking Your Community’s Hidden Strengths: A Guidebook to Community Asset-Mapping” by the Southern Poverty Law Center for help in creating an inventory of services and resources in the jurisdiction.<sup>161</sup>

## Recommendations for Local Government Policymakers and Stakeholders

1. Each agency and program having contact with children and families involved in the justice system should hire or appoint a staff person, preferably a family member or former system-involved youth, to coordinate family engagement efforts and activities.
2. Every justice system agency and program with responsibility for children and youth should conduct the comprehensive assessment (Tool 3) included in this workbook and develop specific strategies to implement the FAMILY Model.
3. Each agency having responsibility for children and youth should identify existing federal, state, and local funding sources that can be used to support family engagement programs and related services to families in the justice system.
4. Collectively, the child-serving and justice system agencies should examine local fiscal policies that incentivize incarceration and residential placement of youth over community-based options. Local governments should develop fiscal strategies to fund prevention, diversion, and family and community-based programs that will respond to youth and family needs such as the programs profiled in this workbook.
5. Each agency having responsibility for children and youth should identify local family support organizations and initiatives that can be tapped or expanded to provide support to families involved in the justice system.
6. Collectively, the child-serving and justice system agencies should create an inventory of services and resources for children and families available across the jurisdiction to help identify and then fill any gaps.
7. The local justice system agencies and court system should help develop a basic guide to the justice system for families to explain the justice system and provide contact information for families who will need additional support.

# PART FOUR

## RESOURCES



*“We have learned that great wisdom resides within families.”*

As noted at the outset of this workbook, families want to see a transformed justice system. If you have read this workbook from cover to cover, you may be hopeful and energized by all of the examples you have read, but you also may be overwhelmed by the enormity of the task. We encourage you to get motivated by harnessing your positive feelings and moving past any negative feelings you may have. The current system was not created overnight, and efforts to transform the system will not occur overnight either.

The good news is that researchers know how transformative change happens. Transformative change efforts follow a clear pattern (see page 25). To help readers get started using this workbook to initiate a transformation effort, here are some simple steps to follow. (see textbox). Here are four tools to help readers use this workbook to initiate a transformation effort:

Tool 1: Quick Start Guide

Tool 2: Sample Focus Group Script

Tool 3: Comprehensive Assessment

Tool 4: Summary of the Five Features

### Eight Phases of a Transformation Effort<sup>162</sup>

1. **Establish a Sense of Urgency.** Convince the system stakeholders that the status quo is more dangerous than the change that is desired.
2. **Form a Powerful Guiding Coalition.** Assemble a group of stakeholders with a shared commitment and enough power to lead the change effort.
3. **Create a Vision.** Create a vision to direct the change effort and develop specific strategies to realize that vision.
4. **Communicate the Vision.** Use every possible opportunity to communicate the new vision and the strategies that will be used to achieve it. The coalition should teach new behaviors to others in the agency to fulfill the vision.
5. **Empower Others To Act on the Vision.** Encourage risk-taking and nontraditional ideas, activities, and actions so that people can take action. Structural barriers that undermine the vision also should be removed.
6. **Plan for and Create Short-Term Wins.** Create short-term visible victories and recognize and reward employees for contributing to the improvements.
7. **Consolidate Improvements and Sustain the Momentum for Change.** Use the early victories to bolster support for larger structural changes. Hire, promote, and develop employees who can implement the vision. Reinvigorate the change process with new projects and change agents.
8. **Institutionalize New Approaches.** Communicate the connections between the new behaviors and the agency's success. Create leadership development and succession plans consistent with the new approach.

## TOOL 1: QUICK START GUIDE

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1. Go back through the workbook and make a list of the ideas you believe could be useful to integrate into your existing efforts. Also think about the positive accomplishments the community has already made to help youth and families. Most jurisdictions will find it easier to expand or modify programs that are already working well, rather than starting new efforts from scratch.

Good things we are already doing in the jurisdiction that we should applaud ourselves for doing:

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Ideas I want to bring to the jurisdiction include:

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2. Identify other individuals in the community, program, or agency, with whom to share this workbook. For example, there are likely to be existing collaborative efforts to bring these ideas to. Request a special meeting, or devote time at an existing meeting, to discuss this workbook and compare notes.

People I know who would be interested in reading this workbook and who should have a copy:

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Organizations and existing collaborations that I can present the ideas from this workbook to:

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3. Imagine there is a magic scale to rate the jurisdiction on how well it demonstrates the Five Features. How far have you already come? How far do you still need to go?

**Families are Supported Before and After Challenges Arise**



**Families Have Peer Support from the Moment a Youth is Arrested through Exit**



**Families Are Involved in Decision-making Processes to Hold Youth Accountable and Keep the Public Safe**



**Youth Have Access to Culturally-Competent Treatment Options Which Strengthen Family-Youth Bonds**



**Youth Are Prepared for a Successful Future**



4. Craft a plan to start family-system partnerships. Depending upon where you are, or the efforts the jurisdiction has already implemented to date, we encourage you to go through the questions in the comprehensive assessment (Tool 3). All the readers of this workbook can take action to start the transformation of the justice system in their jurisdiction.

What are the three things you will commit to doing to get this transformation effort get started?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

## TOOL 2: SAMPLE FOCUS GROUP SCRIPT

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The focus group script provided below is for jurisdictions that have had limited contact with family engagement and are just beginning to explore the experiences of the families they serve. The questions are intentionally designed to identify areas where the justice system is failing to meet the expectations of family members and to provide an opportunity for family members to express their frustrations with the system. Once the frustrations and problems have been aired, the conversation can shift to a discussion about what has been working well in the system.

We suggest allotting at least two hours for the conversation, and providing refreshments.

**Focus Group Moderator:** Thank you for coming. We are here to learn about the experiences that family members have had with our justice system, both positive and negative.

[Personal Introduction of the Focus Group Moderator]

The purpose of our group is to listen and learn from you about your experiences with your children in the justice system. What you say here about your child will not be repeated. We will, however, bring the common concerns and experiences that you share to the attention of our system administrators so that these systems can be more responsive to children and families.

We would like to start by going over our expectations for this group before we start. [Name of Notetaker] is taking notes of this conversation. A summary document of this conversation will be created to distribute to the system administrators that will not contain any names or identifying characteristics about the families or children. You will also receive a copy of the summary.

We need everyone to agree not to disclose any of the names or personal information shared here today/tonight and to respect others' confidentiality by not repeating what is said here today/tonight. In addition, you do not need to share any information about your child's offense, or anything else that you would not want to share with this group.

[Get confirmation that participants understand].

We would like to start our discussion by having each of you introduce yourselves and share why you are here today.

[Personal Introductions of the Focus Group Participants]

Now we are going to go through a series of questions.

### Early System Involvement

1. From your first contact with the system, what surprised you most about the system? This might be related to your experience with lawyers, the ability to be involved with your child's case, knowing where your child was, or anything else along those lines.
2. At the start of your involvement with your child's case, how easy was it to access information or get answers to questions about rights, representation, or processes you came across?
3. Did you understand the process or what was going to happen to your child? Who explained things to you?
4. Do you believe your experience was affected by your race or ethnicity? Do you believe your experience was affected by any language barriers?



## Experience in Detention/ Corrections

5. If your child spent time in our facility, what were your greatest concerns when your child was there?
  - a. Do you believe your children are safe when they are in our facilities? If not, why not?
  - b. Do you believe your child was given enough food?
  - c. Do you believe your child was provided appropriate education?
  - d. Do you believe your child received appropriate health care?
  - e. Do you believe your child received appropriate programs or treatment?
6. Do any of you believe that your child or other children you know about have been abused or had a traumatic experience while in our care that you would not mind sharing with us today?
  - a. How did it come to your attention? What was the reaction of the facility staff when you asked them about it? Do you believe the facility staff reaction or the resolution of the matter was appropriate? What would you have liked to have happen instead?
7. Do you believe you were able to maintain a meaningful relationship with your child while he or she was locked up?
  - a. Were you included in the decision-making process in terms of placement or services for yourself or your child? And did you feel your thoughts were respected?
  - b. How did the visitation process go? What part of the visitation policies worked well and which ones still need work?
  - c. What has been your experience with phone privileges, phone costs, and phone policies?

## Experience with the Court System

8. The court process can often be a confusing, scary, complicated process for families and their children. Would any of you like to share your experience with the court system?

- a. What were your experiences with your child's lawyer?
  - b. What were your experiences with the prosecutor? What was your experience with the plea bargaining process?
  - c. What were your experiences with the judge?
  - d. Was there information you wished people had known before your child was sentenced?
9. Some courts order families and their child to receive counseling such as training, mentoring, tutoring, and parenting skills. What do you think about the services ordered through the court? Were they the right ones or did you need something else?

## Post Release

10. For those of you whose children have been released, after watching them go through the entire system, how was your child able to transition back into society?
11. Finding employment is hard for youth involved in the justice system. Can you tell us about your child's struggles in this aspect?
12. What could our system do to better prepare your child for the future? This could be in terms of education, jobs, social skills, etc.

## Positive Experiences

13. Throughout your experience with the justice system, what have been positive experiences you have had, either with specific people or programs that we should know about? Why do you think they worked for your child?

[For the facilitator, ask several follow-up questions to identify the specific behaviors or attributes about people or programs that families like. For example, if someone explains that a probation officer is nice. Ask, "What exactly does she/he do that is nicer than other probation officers you have worked with?"]

## TOOL 3: COMPREHENSIVE ASSESSMENT

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The goal of this assessment is to spark a conversation about the policies and practices currently in place that are supporting families of youth in the justice system and to help identify next steps. The questions are designed for use by justice system stakeholders of all types, from direct service providers to administrators.

The questions are intentionally designed in a “strengths-based” format, to identify areas to build on where the justice system is currently doing a good job of meeting the needs of families. By answering these questions, systems will identify the existing leaders, collaborations, and resources that can be adapted, expanded, and modified so that all families can be better served.

The information will be most useful if data are gathered from families and youth currently or recently involved with the justice system. Therefore, we strongly encourage system stakeholders to conduct this analysis in partnership with family members.

**The “F” stands for Families having a primary decision-making role in their individual child’s care and case, as well as the policies and procedures governing the care of all children involved in the justice system in their community, state, tribe, territory, and nation.**

1. What information do we provide to families to help them make informed decisions? Consider all system-to-family communication mechanisms such as one-on-one conversations, written and audio materials, peer support, etc.
  - a. What have we done to ensure effective family-to-system and system-to family communication?
  - b. How do we make our documents family friendly? (e.g., What languages are documents available in? What is the reading level? How are they formatted?)
  - c. How do we involve families in helping to create materials, documents, forms, signage, or other communication materials?
2. How do we involve families in decision-making processes related to the care and treatment of their individual child?
  - a. How do we identify what has been successful in the past versus what has not worked?
  - b. What do we do to ensure that families have a real voice in the discussions and that their voice is heard and respected by other participants?
  - c. How do we collect information from families about their strengths and what they need or want help with?
  - d. How do we communicate what the system expects the family to do related to their child’s care and treatment? How do we collect similar information about what the family expects the system to do?
  - e. How do we identify and resolve barriers (e.g., transportation, child care, scheduling, language, literacy, anxiety) that impede the ability of the family to participate? Do we engage families in helping to identify and resolve these barriers?

3. What techniques are used to ensure that families fully understand all the processes of the system and when and how to give their input?
  - a. How do we know if families understand, participate in, and accept the decisions being made?
  - b. How do we minimize and fully explain the use of legal terms and jargon, acronyms, and the results of evaluations and other data and reports?
  - c. How have we incorporated the use of peer support for families?
  - d. Are families invited to bring their own experts or other trusted persons to meetings?
  - e. How do we serve families who do not speak English? Do we use staff who speak the families' languages or use certified and qualified interpreters?
4. How have we made the physical settings where meetings take place, and where youth and families receive services, welcoming environments that demonstrate that we value youth and families as partners?
5. What activities and other events do we invite families to participate in to demonstrate that we want their involvement and value their presence in their child's life and as a support to us? Do we engage families in suggesting, planning, and executing these activities?
6. How do we include families in establishing policies that affect all youth? Specific policies families often want to provide input on are:
  - a. The availability, quality, and equitable distribution of community-based services and resources
  - b. Discriminatory policing practices
  - c. Definitions, scope, and application of criminal laws, particularly school-based offenses
  - d. Court-related policies including availability and quality of appointed counsel, charging practices and protocols of prosecutors, and court-related fees and fines
  - e. The use of incarceration for youth and policies affecting conditions of confinement
  - f. Laws allowing youth to be prosecuted in the adult criminal justice system and held in adult jails and prisons
7. How have we ensured that families are represented on relevant bodies that govern justice system policies and practices?
8. What concrete benefits do we offer to families (e.g., stipends, child care, transportation support, food) to acknowledge their contributions to policy discussions?
9. What techniques do we use to ensure that every child has a family member advocating on his or her behalf? How do we engage youth to determine which family members to include in these discussions and meetings?
10. How do we support the development of skills of family members to ensure that they can participate fully in decision-making activities related to their individual child?

**The “A” stands for Access to a continuum of services that can be accessed by the family without regard to whether the child is in the system.**

1. What methods do we use to identify family needs to ensure services are available in the community prior to justice system involvement? (e.g., surveys of families, focus groups, examination of referral patterns, case reviews)

2. How do we make it easy for families to access necessary services and support without needing to enter the justice system?
  - a. How do we communicate to families the range of services available in the community that may be useful in meeting their child's needs?
  - b. What outreach strategies do we use to ensure that families are fully informed about the available services (e.g., websites, hotline phone numbers)?
  - c. How do we learn what makes it difficult for families to access services?
  - d. How do we learn what services are not available that families and youth need and want?
3. How have we worked to identify and strengthen the neighborhoods and communities where most of the youth come from? Have we engaged families from these neighborhoods and communities to help identify solutions?
4. How have we created special programs to support families known to be at risk (e.g., children of incarcerated parents)?
5. How have we identified and met the needs of youth from diverse cultural, ethnic, linguistic, and racial backgrounds? In what ways do we ensure the services that are available and provided to families are culturally and linguistically competent? Do we engage families from diverse communities in these discussions?
6. How do we serve families who do not speak English? Do we employ staff who speak the families' languages or use certified and qualified interpreters?
7. How do we ensure that eligibility requirements for certain services enable all children with needs to be served?
8. How have we changed funding or eligibility requirements to make it more likely that youth get the services they need (e.g., policies that suspend rather than terminate, Medicaid coverage for youth who enter detention or correction facilities)?
9. How have we made sure that services are available at the times families need them? For example, are crisis intervention services available 24 hours a day, seven days a week?
10. How have we made conflict resolution and other restorative justice practices available to mediate disputes that might otherwise end up in the justice system?

**The “M” stands for services, laws, and policies that Meet the mutual goals of addressing the needs of youth, families, and victims and that keep the public safe.**

1. What actions have been taken to divert low-risk and low-need youth out of the system entirely?
2. What actions have been taken to stop the practices known to increase recidivism (e.g., scared straight programs, boot camps, transfer to adult court)?
3. How do we ensure that families receive the necessary services to prevent youth from reoffending (e.g., analysis of recidivism patterns by provider)?
4. How have we made evidence-based programs available to youth in the community?

5. How do we determine whether the array of available evidence-based programs is appropriate and sufficient to meet the needs of the specific youth in the community?
6. What do we do when an individual service plan is not working as expected?
7. How do we ensure that families feel adequately supported in keeping their child and the rest of their family safe once their child is reunited with the family?
8. What have we done to eliminate the use of programs or providers that have not been successful?
9. How have we stopped or reduced the use of practices (e.g., zero-tolerance policies, transfer to the adult system) that are harmful to youth and objectionable to families?
10. How are the results of the information identified above used to inform policy decisions and to make changes in service availability, RFP processes, and use of providers?
11. How are innovative ideas cultivated and supported to address the identified unmet needs of youth and families?
12. What methods do we use to ensure that families are satisfied with the care and treatment of their child (e.g., surveys, focus groups, individual interviews)?
  - a. What opportunities or methods can families use to request a different service or provider when they are dissatisfied?
  - b. What opportunities or methods can families use to provide feedback about a service or provider?
  - c. How do we know that families feel safe and secure taking advantage of these opportunities?
13. What mechanisms are in place to reward service providers who meet the needs of youth and families effectively?

### **The “I” stands for Interagency and Community Collaboration and Funding.**

1. How have we partnered effectively with other agencies and community organizations?
  - a. Mental health
  - b. Education – earning a high school diploma or GED, attending college, getting vocational training
  - c. Child Welfare
  - d. Human Services
  - e. Substance abuse services – especially for youth with co-occurring mental health and substance use disorders
  - f. Housing – especially for youth aging out of the child protective services system.
  - g. Workforce and economic support for parents and youth
  - h. Private sector service providers
  - i. Recreation and social support systems
  - j. Community-based nonprofit agencies
  - k. Faith-based organizations
  - l. Other \_\_\_\_\_

2. How have we worked with family and community-based organizations?
  - a. How have we worked with existing family-run, family-led, and family-voice organizations to meet the needs of families in the justice system?
  - b. How have we encouraged the development of new organizations to support families in the justice system?
  - c. How have we worked with community organizations to gain their support in meeting the needs of youth and families involved in the justice system?
3. What has made the collaborations identified above successful?
4. How have we worked to ensure funding and other in-kind support (e.g., office space) for family organizations?
5. What funding strategies have we used to leverage funding from all available sources (federal, state, local, and private) to meet the needs of youth in the justice system?
6. How have we ensured that fiscal policies do not encourage the use of residential care over community-based programs?

**The “L” stands for Leadership and Training for both families and system stakeholders.**

1. Looking back upon the successful programmatic efforts, initiatives, and collaborations identified above, who were the leaders who emerged?
  - a. System stakeholders
  - b. Family and community-based organizations
  - c. Individual family members or community leaders
2. How have these leaders been recruited, cultivated, rewarded, and otherwise encouraged to continue in their efforts to respond to the needs of youth and families?
3. What mechanisms or opportunities are in place to encourage leadership in this area?
4. How are family members incorporated on policy-making or other advisory governance bodies?
5. In what ways do we communicate to staff that we expect them to meet the needs of youth and families in a strengths-based and culturally competent manner?
  - a. Job descriptions
  - b. Recruitment strategies
  - c. Involving families in the interviewing/hiring process
  - d. Training curricula
6. How do we ensure that family expertise and perspectives are an integral part of staff training (e.g., through training sessions designed and led by families and family-driven organizations)?
7. How do we support the development of skills of family members to participate fully in the decision-making activities related to policy discussions (e.g., opportunities to develop public speaking skills)?

8. How do we support peer-to-peer learning opportunities to share experiences about effective ways to meet the needs of youth and families?
  - a. Line staff
  - b. Administrator or policy level staff
  - c. Family members

**“Y” stands for Youth fully prepared for their futures.**

1. What are we doing to move toward a strengths-based system for youth?
2. How are we helping to prepare youth for a safe, productive, healthy, and happy life in the community (e.g., skills development, linkage to supportive networks, acquiring key developmental assets)?
3. What actions have been taken to provide youth with effective, culturally competent, affordable, accessible, and developmentally appropriate services in the community?
4. How do we provide youth with the opportunity to engage in restorative practices that enable them to repair the harm, make amends, learn about the impact of their actions, and/or participate in restorative encounters with those who have been affected by their actions?
5. What mechanisms are in place to track positive outcomes for youth (e.g., enrollment in higher education, employment status, connections to family)?
6. What actions have been taken to connect youth to permanent families and supportive adults who will maintain lifelong connections to support them?
7. What actions have we taken to get youth the education they need to be prepared for college or careers?
8. What actions have we taken to link youth to supportive adult services they may need (e.g., SSI, vocational rehabilitation)?
9. What actions have been taken to help parenting youth connect to their own children and develop parenting skills?
10. What actions have been taken to develop the leadership skills of youth?
11. What actions have we taken to reduce the negative impact of arrest records and of juvenile adjudication or criminal conviction records?
12. What actions have we taken to welcome youth into full participation and contribution to their community (e.g., re-entry welcoming ceremonies, probation graduation, opportunities to give back to the community or to provide peer support for other youth)?
13. What actions have been taken to help youth develop financial literacy skills and long-term economic stability?

## **TOOL 4: SUMMARY OF THE FIVE FEATURES**

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### **1. Families are Supported Before and After Challenges Arise**

- Promote resources for families through websites and hotline numbers.
- Develop special programs and support for youth and families involved or at risk of involvement in the justice system that do not require court involvement.
- Stop the school-to-prison pipeline by: closing the door to juvenile court; creating positive school cultures; targeting school-based family engagement strategies at families involved or at risk of involvement in the justice system; and using restorative justice practices instead of suspensions, expulsions, or arrest.
- Create and expand diversion opportunities for youth who have contact with law enforcement to avoid justice system contact and unnecessary detention.

### **2. Families Have Peer Support from the Moment a Youth is Arrested through Exit**

- Create new law enforcement protocols to inform parents of their child's arrest and information about their rights, the justice system, and resources to help them.
- Meet the legal needs of families by improving access and quality of counsel for children, and create new legal resources for families by partnering with community-based organizations and legal service providers.
- Create formal orientation programs and resource materials for families to help them understand the juvenile court process and the services available in the community to meet their needs.
- Expand existing peer support and wraparound programs, and create new ones, to serve all youth and families who request and need the service.
- Invest in the development of Family-Run, Family-Led, and Family-Voice Organizations to provide peer support to families in the justice system.

### **3. Families Are Involved in Decision-making Processes to Hold Youth Accountable and Keep the Public Safe**

- Ensure that family members are included in all decisions related to the care of their individual child.
- Elevate opportunities for family members to create their own case plans by implementing Family Group Decision Making.
- Involve families in the design and implementation of practices within specific juvenile justice agencies and facilities, including staff orientation and training, development of materials, and community outreach.
- Conduct a top-to-bottom review of laws and policies affecting youth and families in the justice system.



- Invite family members to all policy-making tables, advisory boards, or policy committees and treat them as equals.

#### **4. Youth Have Access to Culturally-Competent Treatment Options Which Strengthen Family-Youth Bonds**

- Ensure that families and justice system stakeholders have a range of community-based programs, including evidence-based programs, to choose from to meet the needs of youth and public safety.
- In both community-based and residential programs, teach youth skills to cope with peer, school, family, and neighborhood problems, and provide families with skills and resources to cope with the difficulties of raising teenagers.
- Replace traditional, large, secure incarceration facilities with small rehabilitative facilities close to the community.
- For all out-of-home placements, facilities should develop comprehensive family engagement strategies to maximize youth-family contact and facilitate family-staff communication to include:
  - » Using an expanded definition of family for visitation and mail correspondence.
  - » Creating a welcoming environment for families through creating special materials for families to explain their rights and the policies of the facility, hosting special events, soliciting regular feedback from families, and making the physical environment more inviting and comfortable for families.
  - » Ensuring that visitation hours are convenient for family members, providing low- or no-cost phone services, and assisting with transportation to aid regular communication between youth and families.
  - » Providing training and support to staff to facilitate effective staff-family interactions and promote regular communication.

#### **5. Youth Are Prepared for a Successful Future**

- Ensure that youth are actively learning all the skills they need to become successful adults.
- Align educational programs and offerings for youth to ensure that they can go to college or have the skills they need for employment opportunities.
- Help parenting youth develop parenting skills and develop and maintain bonds with their children.
- Connect youth to programs and opportunities to develop a positive self-image and identity.
- Actively develop the leadership potential for youth involved in the justice system.

## METHODOLOGY

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The family-system partnerships we propose—Five Features of a Transformed Justice System and the FAMILY Model—were developed through a process of “backward mapping” using literature reviews, site visits, focus groups, surveys, and expert consultations that occurred over a multi-year period. Backward mapping begins with a description of the desired behavior at the lowest level of intervention—staff providing direct services to youth and families—and then proceeds to identify the resources and supports that are needed for the desired behaviors to occur.

We started by conducting an extensive literature review on effective family engagement practices inside and outside the field of juvenile justice. Other child-serving systems, specifically the mental health and education fields, have had a longer history of working with families and we wanted to draw upon their best thinking. We are especially appreciative of the work of the family experts across fields whose work, dedication, prior writings, and leadership in the field of family engagement has profoundly shaped this workbook.

We conducted multi-day site visits to several jurisdictions perceived by system experts to have a tradition of being responsive to the needs of youth and families. We wanted to observe line staff and their supervisors in action and to learn more about what it takes to do the work well. We observed the following: a day treatment program; an intensive probation supervision program; two secure residential care facilities; an alternative education program, GED program, and charter school; a probation-staffed recreational and community outreach program; and non-justice-system-related parent support, community, and economic development activities. Throughout our visits and conversations, we were looking for the key staff- and system-level ingredients that allow family-friendly practices to flourish. Our observations from these visits informed our thinking about what family-system partnerships look and feel like for the youth, families, staff, and supervisors.

Between March and July 2011, we helped convene a series of four listening sessions with the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the Education Development Center. Families and youth from 16 states and tribes who had direct experiences with the justice system participated in focus groups following a similar format: use of a facilitator; brief introductions by the family members, OJJDP staff, and other listeners in the room; assurances that names and other identifying information would remain confidential; and the use of guiding questions to stimulate discussion. The four main guiding questions and topic areas were: 1) What was your first involvement with the system?; 2) What was your child’s experience with the system? Were all your needs met?; 3) What was your family’s experience with the system? Were your needs met and your rights respected?; and 4) Was there aftercare, i.e., what happened when your child was no longer in the system? Did he or she receive support?

Between April and May of 2012, we conducted surveys of system stakeholders who are part of two networks, the Annie E. Casey Foundation’s Juvenile Detention Alternative Initiative (JDAI) network, made up primarily of county-level juvenile justice agencies, and the Council of Juvenile Correctional Administrators’ (CJCA) network of state-level juvenile justice agency officials. The survey was administered online and started with a series of closed-ended questions in five categories: 1) tools and resources available to help families navigate the juvenile justice system; 2) services provided to families, and how families are involved in determining which services they need; 3) accommodations for families in juvenile facilities and residential placements; 4) methods used to solicit input from families to inform policy decisions; and 5) training for staff on how to work with families. After answering these questions, system stakeholders were asked to provide the top five benefits, challenges, and barriers to becoming more family friendly. Survey responses were then coded and categorized. Copies of all actual survey responses with redacted identify-

ing information, along with a draft of this workbook were circulated to all respondents and they were given an opportunity to provide feedback.

How did we select the examples to profile in this workbook? The primary factor was whether the example contained elements consistent with the values of family-system partnerships. In many cases there were multiple jurisdictions to choose from, each having slight variations in how they implemented the idea. The specific examples were selected for a variety of reasons, including the number of children and families affected by the practice; diversity in the racial and ethnic population served, geographic location, and size of jurisdiction; written documentation about the effort, so jurisdictions can refer to additional materials if interested in more information; and the ability to get someone in the local jurisdiction to review the description to confirm accuracy.

We also chose to include practices from agencies that have experienced recent scandals but have made special effort to address family engagement as part of their reform strategy. We know that none of the systems profiled in the workbook is perfect, as their system administrators will readily acknowledge, but these examples demonstrate that systems at all levels of current functioning are capable of improving the way they respond to families, even in the midst of major organizational crises.

After an initial draft of this workbook was prepared, it was circulated to all persons who had been consulted during this multi-year project. People were invited to add content, ask clarifying questions, and even object to the ideas presented in this workbook. Through the varied methods used to develop this workbook, we feel confident that it reflects the views of families and system stakeholders living in communities, states, territories, and tribes across the nation. We are very grateful for the time, care, and valuable feedback that families, system stakeholders, and other experts provided throughout this process. We sincerely believe that this workbook reflects a shared vision for how to transform the justice system, and the complete list of persons who contributed to the workbook follows.

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Sharon Bean  
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James Bell  
Doris Benfor0064  
Bruce Bernard  
Garry Bieringer  
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Laura Brewer  
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Sharon Brown  
Scott Buchanan  
Gale Burford  
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Denise Caraballo  
Russell Carlino  
Carmen Casas  
Teresa Castaneda  
Angela Chan  
Elaine Chernin  
Kristen Christensen  
Amanda Christofferson  
Marla Clark  
Crystal Collier  
Chris Colling-Thoman  
Greta Colombi  
Darlene Conroy  
Deena Corso  
Nancy Day  
Tim Decker  
Veronica Delgado  
Holly DeMaranville  
Michael Dempsey  
Marilyn Di Paolo  
Edward Dolan  
Jim Drendel  
Denise Dunkins  
Mishaela Duran  
Teddi Edington  
Charlene Edwards  
Melinda Elliot  
Timene Farlow  
Shaena Fazal  
Peter Forbes  
Michael Fletcher  
Elizabeth Fritz  
Ruth Frush  
Aderon Gibbs  
Fernando Giraldo  
David Gleiser  
Kim Godfrey  
Val Gomez

Simon Gonsoulin  
Elias Gonzales  
Vanessa D. Grooms  
Vicky Gunderson  
Stacey Gurian-Sherman  
Rashad Hameed  
Gloria Hancock  
Sharon Harrigfeld  
Liz Heidelberger  
Mary Hogan  
Glenn D. Holt  
Daryl Holt  
Steve Hornberger  
Nancy Gannon Hornberger  
Barbara Huff  
Brian Huff  
Tracy Wells Huggins  
Rebecca Humphrey  
Tarsha Jackson  
Ron Jaeger  
Sharon Jaronczyk  
Valerie Joiner  
Kathleen Jones  
Deborah Kennedy  
Joelle Kenney  
Doug Kopp  
Kathleen Kroll  
Ned Loughran  
Bart Lubow  
Wendy Luckenbill  
Rakia Lumumba  
Katayoon Majd  
Carrie Maloney  
Dawn Mapp  
Greg Martin  
Kathy Martinez  
Jeanne Masterson  
Roxana Matiella  
Carol Matsuoka  
Bill McCabe  
Ellen McCann  
Tracy McClard  
Alison McGonigal  
Mike McIntosh  
Cindy McKenzie  
Jason Medina  
Lisa Merkel-Holguin  
Stanley N. Merritt  
Avon Miles  
Doug Mitchell  
Tara Moore  
Mike Morton  
Terri Nave  
Jennifer Nelson  
John Neubauer  
Zachary Norris  
Trina Osher  
Yolanda Perez-Logan  
Amanda Petteruti

Mary Ann Pitnick  
LaKesha Pope  
Bennie Price  
M. Julia Ramirez  
Fritz Reese  
Kristen Reilly  
Michael Rohan  
Jennifer Romelien  
Liane Rozzell  
Jason Rubio  
Liz Ryan  
Pauline Salla  
Michelle Sanchez  
Juan Sanchez  
Kristine Schneider  
Tammy Schneiderman  
Courtney Seals  
Ryan Shanahan  
Pat Sheffield  
Diane Shelton  
Thomas Simard  
Colin Slay  
Joel L. Smith  
Stephanie Springer  
Steven Stonehouse  
Marcus Stubblefield  
Ray Stubner  
Angela R. Taylor  
Maria Tellez  
Steven Teske  
Gailyn Thomas  
Peggy Thorpe  
Karen Trayler  
Trudie C. Trotti  
Robert Turillo  
Tessa Upin  
Francisco Villarruel  
Matthew Villio  
Joe Vraspir  
Sarah Walker  
Nora Wells  
Gina Womack  
Erica Wood  
Jason Zeidenberg

## NOTES

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**YOUTH  JUSTICE**

BECAUSE THE CONSEQUENCES AREN'T MINOR

*The Campaign for Youth Justice (CFYJ) is dedicated to ending the practice of trying, sentencing, and incarcerating youth under 18 in the adult criminal justice system.*

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*The primary author of this workbook is Neelum Arya, consultant to the Campaign for Youth Justice and Assistant Professor of Law at the Dwayne O. Andreas School of Law at Barry University.*

CAMPAIGN FOR YOUTH JUSTICE

Washington, DC

[www.cfyj.org](http://www.cfyj.org)

Phone: 202-558-3580

Fax: 202-386-9807

[info@cfyj.org](mailto:info@cfyj.org)