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THE CROSSOVER YOUTH PRACTICE MODEL (CYPM)

*CYPM in Brief: Out-of-Home Placements and
Crossover Youth*

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Crossover Youth Practice Model

The Crossover Youth Practice Model (CYPM) was developed by the Center for Juvenile Justice Reform (CJJR) at the Georgetown University McCourt School of Public Policy to improve outcomes for youth who are dually-involved in the child welfare and juvenile justice systems. The model uses a research-based approach to assist child welfare, juvenile justice, and related agencies in adopting policies and practices that better address the needs of these youth and improve their life outcomes. The term “crossover youth” refers to all youth who have experienced some form of abuse or neglect and who engage in delinquent behaviors regardless of their involvement in the systems. The Crossover Youth Practice Model (CYPM) is a strengths-based model designed to meet the needs of crossover youth by working with child welfare and juvenile justice systems in local jurisdictions. This brief is the second in a series that addresses important issues facing those crossover youth who are dually-involved and the systems that serve them.

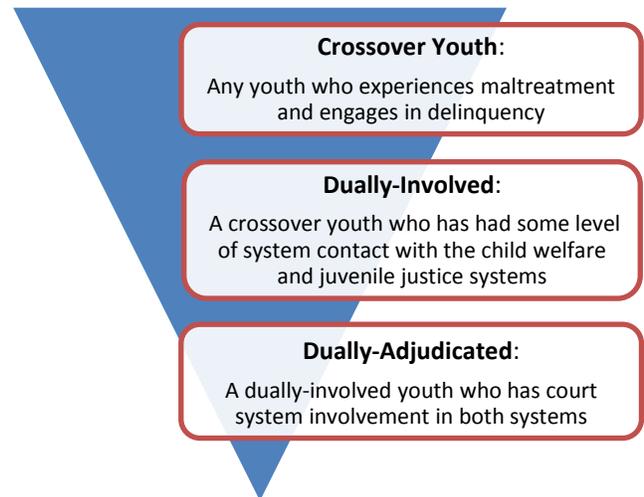


Figure 1: Definitions

Out-of-Home Placements

Out-of-home placement (OOHP) refers to the removal and placement of a youth from his or her family environment and into an alternative setting. OOHPs occur in both the child welfare and juvenile justice systems, but under different circumstances. In the child welfare system, OOHPs are utilized for children and youth who are in the need for removal from their family environment due to safety (e.g., abuse or neglect) or other concerns (e.g., a child’s behavior). Youth may be placed with relatives, a foster family, or with other youth in a group setting. In the juvenile justice system, OOHPs are typically used for short-term detention stays upon arrest as well as longer-term stays post-adjudication, such as in residential facilities. The following case flow diagram shows where OOHP may occur as a case moves from child welfare to juvenile justice.

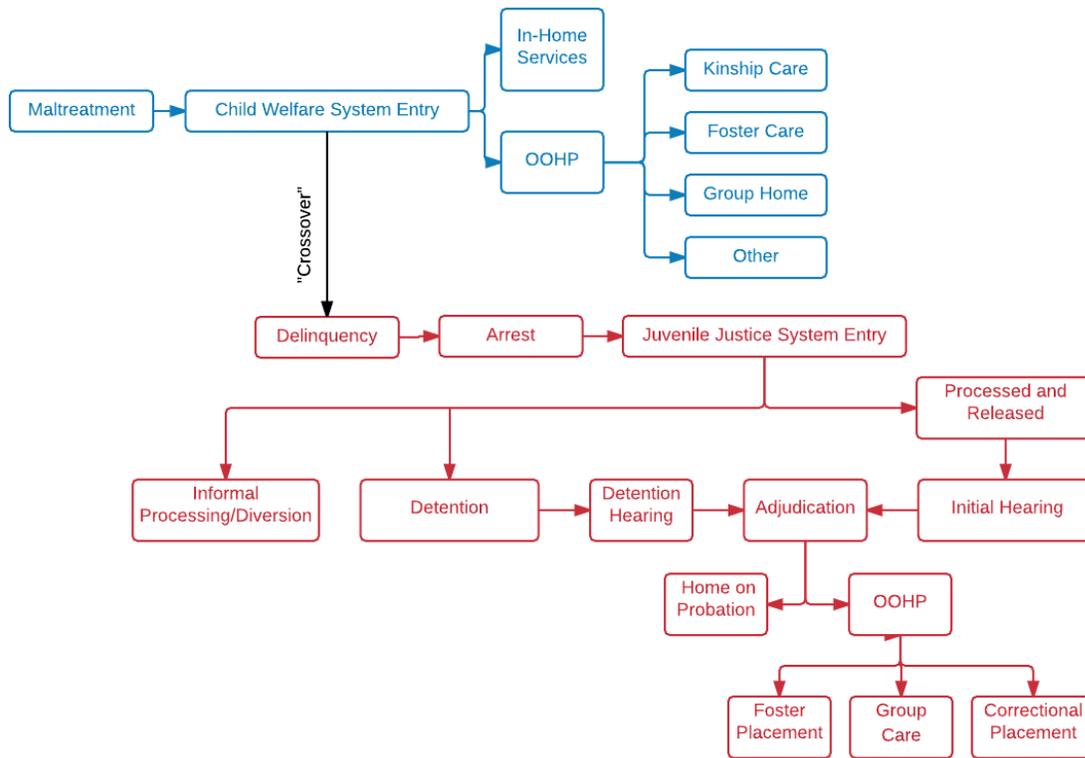


Figure 2: Out-of-Home Placement Case Flow

A better understanding of the relationship between OOHP and delinquent behavior would allow agencies to better target those most at risk for juvenile justice system contact, more effectively utilize in-home and community-based services, inform placement decision-making in the child welfare system, and further educate professionals in both systems to encourage communication and to change practices. Thus, the objective of this brief is to describe:

- the role of out-of-home placements in the child welfare and juvenile justice systems and the importance of reducing their inappropriate use;
- the relationship between OOHPs and delinquency;
- the “child welfare bias” that a youth with child welfare system history may face upon contact with the juvenile justice system;
- the ways in which the Crossover Youth Practice Model (CYPM) addresses OOHP; and
- how one jurisdiction has addressed OOHP through the implementation of the CYPM.

Out-of-Home Placements in the Child Welfare System

In the child welfare system, OOHP refers to the broad definition of removing a child or youth from his or her own original home or family environment and placing that child into an alternative placement setting. Examples of those settings include foster homes, group homes, or residential facilities. Approximately 400,000 children under the age of 18 experience out-of-home placement in the child welfare system daily (Child Welfare Information Gateway, 2013). Placement outside of the home serves to address the safety and well-being needs of children and youth who have experienced abuse or neglect and may be beneficial in protecting them from subsequent maltreatment or environmental factors in the home environment that contribute to adverse outcomes. Best practice in the child welfare system is to place children in the least restrictive setting and to achieve a permanent and safe living situation as soon as possible.

OOHPs, and group care in particular, may be beneficial for some youth and certain circumstances (Lee & Thompson, 2009; Lemmon, 2006). By altering the family environment, OOHP may provide much-needed attachment and security to maltreated children and youth (Jonson-Reid, 2004). Given that children reported to the child welfare system are disproportionately from economically disadvantaged homes, OOHP may supply an improved community context if children and youth are placed in a neighborhood with more economic resources (Jonson-Reid, 2004). However, other evidence suggests that being removed from one's home may also be associated with adverse outcomes (Berrick, Needell, Barth, & Jonson-Reid, 1998), including increased delinquency and subsequent juvenile justice system contact (Alltucker et al., 2006). Youth who experience OOHPs in the child welfare system are more likely than youth who remain in their home to engage in delinquency (Ryan & Testa, 2005). However, the impact of OOHP on future delinquency is not the same for all youth. In a sample of 794 children and youth with substantial OOHP experiences in the child welfare system, Kolivoski, Shook, Goodkind, and Kim (2014) found that out-of-home placements such as congregate care were only predictive of juvenile detention or jail for those who had chronic justice system contact, and not those with less juvenile justice involvement. Therefore, the potential benefits or risks of OOHP should be carefully considered against each youth's unique circumstances.

The reality of OOHP is that children often move through multiple placements, and this movement is not always linear from less restrictive to more restrictive settings as best practice would suggest. Given their extensive histories with the child welfare system, many dually-involved youth have a relatively high number of placement changes. Research has shown that the number of placements and the type of placements experienced by foster care youth appears to mediate the effect of maltreatment on delinquency (see also Jonson-Reid & Barth,

2000b; Petro, 2006; Kapp, Schwartz, & Epstein, 1994; Kapp, 2000 for a discussion of this issue). For instance, Ryan & Testa (2005) examined the number of placements for adolescent males and found that males with three placements were 1.54 times more likely to have a delinquency charge and males with four or more placements were 2.13 times more likely to have a delinquency charge than adolescent males with one placement.

Another problem associated with OOHP is a deleterious effect on social bonds. Removing a youth from his or her home of origin may weaken social bonds, making the youth more susceptible to delinquency and involvement in the juvenile justice system. In comparing maltreated children who either remained in-home or were placed outside of the home, those who were removed were nearly twice as likely to experience arrest as an adult (McMahon & Clay-Warner, 2002). Additionally, youth in OOHP see their families less (Wulczyn, Hislop, & George, 2000) and change schools more often, resulting in educational disruptions and the inability to maintain family and peer relationships (Berrick, 2006).

Outcomes related to different placement types also provide important insight into the use of OOHPs. For instance, Ryan, Marshall, Herz, & Hernandez (2008) analyzed the impact of congregate care on subsequent delinquency using a sample of youths in the care of child protective services in Los Angeles between 2002 and 2005. They found that youths with at least one congregate care placement were more than twice as likely to be arrested as youths who were placed only in a foster care placement. The youths placed in congregate care were disproportionately African-American and male and were more likely to have a history of multiple placement episodes compared to those in foster care placements. In a similar study by Ryan, Hong, Herz, and Hernandez (2010), different effects of race and gender on kinship care and delinquency were also shown among a sample in Los Angeles County, CA. Overall, they found that kinship care increased the likelihood of delinquency for both African American and Caucasian males, but not for females in the sample. This is not to suggest that kinship care in and of itself has a detrimental impact on youth outcomes; rather, kinship care providers need the same amount of financial assistance and ancillary supports as foster homes, yet are typically underfunded or not funded.

These findings raise important questions about what types of placements are problematic for youth; however, before sweeping changes are made to the use of such placements, it is necessary to identify the conditions under which these placements and related child welfare decisions may be criminogenic (Jonson-Reid & Barth, 2000a; Jonson-Reid & Barth, 2000b; Jonson-Reid, 2004) and to further understand the contextual circumstances within which they occur. For instance, congregate care placements with the following characteristics may be driving the relationship with delinquency: the use of inexperienced and untrained staff, the absence of clear de-escalation techniques and procedures (e.g., not relying on law enforcement

to resolve the situation), the absence of appropriate treatment modalities, high concentrations of high-risk youth in one facility (i.e., the peer contagion effect [Dishion & Dodge, 2005]), and/or the absence of behavioral modification techniques appropriate for the population served by the facility (see Ryan, et al., 2008 for more discussion on these points). Similarly, for kinship care placements, it is necessary to explore whether placements that lead to delinquency are adequately supported with the services they need and whether they are differentially exposed to neighborhoods impacted by gangs, drugs, and violence (Sampson & Bean, 2006).

In addition to promoting positive youth outcomes, a benefit of reducing OOHPs may be cost savings. Some scholars suggest that OOHPs are overused when compared to in-home services or other community-based supports. It is more cost-effective for the child welfare system to reduce the number of OOHPs, and specifically expensive group care, reserving it only for those children and youth who will truly benefit from it (Barth, 2002). Thus, OOHPs are a significant area of focus given that they are an important factor in understanding the maltreatment-delinquency connection, costs to systems, and outcomes for youth. Reducing OOHPs is also important given that a substantial number of children are taken out of their homes only to be reunified with their parents or primary caregivers. In 2012, 51% of children leaving foster care were reunified with their parents or primary caregivers (U.S. Children's Bureau, 2013). Some of these removals may have been unnecessary and harmful to youth and their families. Child serving agencies might be able to avoid these costly, temporary out-of-home placements by providing more extensive in-home services at a more regular rate.

Out-of-Home Placements in the Juvenile Justice System

Youth may also experience OOHP in the juvenile justice system. In the juvenile justice system, placements typically occur at two distinct points – arrest and disposition. At arrest, OOHP occurs due to consideration of community safety, a youth's risk of not appearing in court, and the possibility of a youth not having a safe and welcoming place to return. Meanwhile, placement at disposition occurs due to appropriateness for treatment and rehabilitation, punishment for behavior, and lack of alternative family-based options. While the majority of youth receive dispositions of home-on-probation, a national one-day snapshot of youth in residential placement facilities in 2010 identified 71,000 individuals who were in group placement (Sickmund & Puzanchera, 2014).

OOHPs in the juvenile justice system include detention centers, shelters, reception/diagnostic centers, group homes, ranch and wilderness camps, training schools, and residential treatment centers (OJJDP, 2015). Detention centers and shelters are typically used for short-term stays, such as upon arrest or awaiting a detention hearing, or until a more permanent placement can be found. Of detained youth in 2011 in the juvenile justice system, 86% were held in detention

centers, while small percentages were held in long-term secure facilities, shelters, group homes, and reception/diagnostic centers (Hockenberry, 2014). Post-disposition, when no family setting (e.g. family of origin, kin placement, or foster family) is available, youth group placements will be utilized. Group homes typically house a small number of youth, are staff-secure (i.e., not locked facilities), and allow youth some interaction with the community (Curtis, Alexander, & Lunghofer, 2001). Among committed youth, group homes comprise the most common juvenile justice placement type (42%), followed by long-term, secure facilities (37%; Hockenberry, 2014).

Similar to the child welfare system, research and program evaluation suggest the need to reduce the use of unnecessary OOHPs in the juvenile justice system. Detention centers are the typical placement for youth awaiting court hearings, yet even these relatively short stays may have long-term impact. For example, Jordan (2012) found that youth in detention facilities, compared to those who remained in their own homes prior to their court hearing, are more likely to receive formal charges and be found delinquent. OOHPs in the juvenile justice system may also disrupt a youth's education, mental health treatment, and contribute to symptoms from past traumatic experiences. OOHPs are also an expensive option, and one that does not typically pay for itself in terms of youth recidivism. One promising model program for reducing unnecessary OOHPs for the juvenile justice population is the Juvenile Detention Alternatives Initiative (JDAI), which is aimed at reducing the use of detention while balancing public safety (Mendel, 2014).

“Child Welfare Bias”: OOHP, Crossover, and Court Processing

Research supports that children and youth with child welfare system histories may experience a bias against them when processing through the juvenile justice courts and systems. The court may view a youth who has a child welfare history as less likely to have stable family or home support, resulting in decisions that increase their involvement with the juvenile justice system. This “child welfare bias” has been demonstrated in several studies. Ryan et al. (2007) compared the court processing of first-time offenders in the juvenile justice system. They found that youth with child welfare system histories were more likely to experience OOHP as their initial sanction in the juvenile justice system, as opposed to those without a child welfare history who were more likely to receive a sanction of probation. In a study comparing the juvenile justice case processing of adjudicated delinquent youth with and without child welfare involvement, a higher percentage of non-crossover cases received probation (92% compared to 83%); however, crossover youth had a higher percentage of cases transferred to another agency (10% compared to 5%; Shrifter, 2012).

Project Confirm is one specific program that has been designed and evaluated to help decrease unnecessary detention placements among foster care children and youth who experience

arrest (Ross, Conger, & Armstrong, 2002). The program works in two ways: 1) when a youth is arrested, juvenile justice workers contact Project Confirm staff who determine if there is a child welfare caseworker to notify, and 2) upon making contact with one another, child welfare and juvenile justice employees maintain communication with one another and are assisted by Project Confirm staff. Conger and Ross (2001) noted that among youth without prior detentions in the juvenile justice system, foster care youth were at higher risk of detention than those without foster care histories. Through implementing Project Confirm, child welfare caseworkers provided a reduction of this bias. However, this effect did not hold true for all youth; among those with previous detentions/charged with major felonies or warrants, those with foster care histories were more likely to be placed in detention facilities (Conger & Ross, 2006).

CYPM Recommendations about OOHP

OOHP may increase the likelihood of some youth to engage in delinquent behavior, therefore serving as a potential contributing factor in systems crossover from child welfare to juvenile justice for some youth (Alltucker et al., 2006; Ryan & Testa, 2005). Thus, the CYPM recommends jurisdictions focus on prevention and early intervention to reduce the need for OOHP. Prevention of crossing over can be achieved by providing additional services to families while a youth is still with their family of origin. Evidence-based, family-focused, home-delivered practices, such as multisystemic therapy (MST) and Functional Family Therapy (FFT) should be made available. Increasing access to services for families of origin is a first step in reducing OOHP.

When placement with the family of origin is not possible, kin placement with adequate training and support should be provided. Research has shown that kin placements, like families of origin, are often underserved and thus left to fend for themselves and often fail. Like family of origin homes, they are often concentrated in poor neighborhoods with struggling school and the least access to services. In order to support youth, families should be engaged from the point of arrest and participate in all court hearings and family team meetings. Relationship-building with a family by juvenile justice and child welfare system workers respectively can result in the early identification of potential kin placements, should the need arise for a youth.

After prevention/placement with the family of origin and kinship placement, the third most promising option is a foster family setting. Foster families should be well supported, particularly if and when delinquency occurs in order to maintain the placement and limit the number of placements youth experience. Increasing stability of placements is one way to reduce the likelihood of crossing over, so all effort should be made to do so. Additionally, every

effort should be made to help the youth remain in contact with the family of origin when it is appropriate to do so.

Once crossover has occurred, jurisdictions should focus on the early identification of the youth and notification of child welfare immediately upon arrest or prior to the first hearing. Varying technological and organizational solutions have been employed to accomplish this. Once identification and notification occurs, both child welfare and probation staff should convene prior to a youth's first detention hearing. Families should also be immediately notified and engaged by both agencies in order to support youth who have crossed over. This early collaboration allows both agencies to be involved in finding new, or supporting existing, placements.

Perspectives from the Field

Harnessing the Power of Two Agencies

In 2012, Bexar County, Texas began working with Georgetown University's Center for Juvenile Justice Reform to implement the CYPM. Among their reasons for adopting the model, Bexar County was interested in utilizing practices that help ensure deliberate and appropriate placement decisions. As part of this reform, Bexar County has included the development of a One Family/One Judge Crossover Court, as well as the establishment of Crossover Units in both Child Protective Services (CPS) and the juvenile justice system. These units are responsible for all youth with open cases in both agencies. Early indications from data collected in the fifteen months after the implementation of the CYPM suggest that these new practices are contributing to a positive trend in appropriate placement decisions.

The jurisdiction attributes their ability to determine more appropriate placement decisions to the early identification of a youth's crossover status. They have achieved this early identification through the development of an automated matching process that flags crossover youth when they enter the juvenile justice system. The matching process is initiated on a weekly basis as well as every time a youth is referred to the juvenile justice agency for intake. During intake, an automated system will compare a list of youth under temporary or permanent managing conservatorship with CPS with a list of youth active in the Bexar County Juvenile Probation Department (Probation). The system does two searches. The first search matches youth who have the same last name, first initial, date of birth, and gender in both systems. The second search tries to match the last four digits of a youth's social security number, date of birth, and gender.

This early matching enables both Probation and CPS staff to start collaborating right away. For example, Probation intake staff will notify the Probation Crossover Unit, CPS staff, and Child

Advocates of San Antonio (CASA) if a crossover youth is scheduled for a detention hearing. Probation staff and CPS staff are required to convene prior to the first detention hearing. Also, when a youth is flagged in the matching process as crossover, the case is staffed and, if recommended and accepted for Crossover Court, the Family Court judge will request that the case be transferred to the Crossover Court, often including all siblings even if the others do not have delinquency cases.

Having a District Court Judge volunteer at the outset of the project to preside over Crossover cases strengthened the entire development process. It also provided key upper-level support to the project, along with the support of the leaders of both Probation and local CPS. Attending CYPM Implementation Team meetings served as an opportunity for other systems to understand the challenges and mission of the child welfare system. One of the biggest hurdles relating to out-of-home placement was for the Judge, Probation and CPS to understand each other's perspectives regarding recommendations for suitable placement. While Probation's concerns are for immediate and short term safety, CPS has either permanent or temporary legal custody, so their perspective is linked to permanence and a concern regarding the potential for failed placements. An eye towards permanency means that certain family situations, such as criminal histories or past child welfare involvement, may influence what type of placement setting is appropriate for a youth.

Through ongoing discussion, the CYPM Implementation Team developed a series of business rules that all parties agreed to as a way to reduce out-of-home placement. In addition, the Crossover Court judge's insistence that probation and child welfare professionals come to court with an agreed upon plan – "Don't come without a compromise" – has been paramount.

Another important factor is that both Probation and CPS have designated units and staff to work on Crossover cases, allowing strong working relationships to develop. Increased collaboration among both agencies facilitates their ability to find suitable placements. For youth with new delinquency cases, the Probation Crossover Unit (PCU) brings a fresh eye and more resources to help find placements or appropriate alternatives to placement. Cases are transferred to the PCU after a case-by-case determination by Probation. Additionally, CPS will reassign a youth's case to a specialized Crossover Caseworker if, after review, it is determined that it would not be more beneficial for the youth to remain with his or her original caseworker. This specialization and flexibility helps ensure that a youth's case is in the hands of those best able to meet his or her needs.

Crossover cases are more complex and intensive, so allowing lower caseloads for these designated staff has also been an important consideration. The PCU unit carries smaller caseloads (typically 13 cases) compared to its regular probation counterparts (typically 25-30

cases) and Child Protective Services (CPS) crossover units carry 20 cases compared to an average of 30 for regular child welfare caseloads.

By implementing specialized Crossover Units, adopting the One Family/One Judge court, utilizing early identification methods, and improving cross-systems communication, Bexar County is better able to make appropriate placement decisions for their crossover youth. Unnecessary or poorly-informed out-of-home placement decisions may result in youth being taken out of their homes unnecessarily and put into improper restrictive settings. This scenario is costly to jurisdictions and harmful to youth, as it may contribute to future delinquent behavior and future system involvement. By working across systems and adopting the principles of the Crossover Youth Practice Model, jurisdictions will be in a better position to avoid unnecessary and potentially harmful out-of-home placements and provide appropriate services that improve outcomes for at-need youth and their families.

For more information about the Crossover Youth Practice Model, please visit <http://cjr.georgetown.edu>.

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