

# Implementing Change: Addressing the Intersections of Juvenile Justice and Youth Homelessness for Young Adults



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## COLLABORATING FOR CHANGE

'Collaborating for Change' is a project of the Coalition for Juvenile Justice and its partners the National Network for Youth (NN4Y) and National League of Cities' (NLC) Institute for Youth, Education, and Families. This initiative brings together stakeholders from across multiple sectors to ensure that a youth's involvement with the juvenile justice system does not increase the likelihood that they will experience homelessness, and that communities support rather than criminalize youth who experience homelessness.

## COLLABORATING FOR CHANGE SPONSORS



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## INTRODUCTION

Young adults ages 18-24 require specific, targeted services and interventions from the juvenile justice and homelessness service providers with whom they interact if they are to achieve successful outcomes and avoid long-term harms. This resource is intended to assist policymakers, practitioners, and other stakeholders in applying an earlier report, “Addressing the Intersections of Juvenile Justice Involvement and Youth Homelessness: Principles for Change.” (*Principles for Change* or *Principles*) in their work with and on behalf of young people in this age group who are under the jurisdiction of the juvenile justice system. Specifically, this tool was developed to help communities:

- Prevent homelessness among juvenile justice-involved young adults; and
- Decrease the likelihood that young adults experiencing homelessness become involved with the juvenile justice system.

Recommendations for action follow each principle and reflect several core tenets, including:

- Young people should never enter or remain in the juvenile justice system solely to receive services or to have a safe place to stay. Communities *must* have housing and other services available that are sufficient to meet youths’ needs.
- As jurisdictions extend the ages to which they supervise and/or provide services to youth, they must make sure that they have appropriate and sufficient services for older youth. They must also ensure that all opportunities afforded to minors are also afforded to older youth, including diversion and re-entry opportunities.
- Juvenile records pose a huge barrier to housing and must be addressed for individual youth and at the systems/policy level, by preventing youth from having records in the first place, and, when necessary, by keeping those records from interfering with housing.
- Education, employment, and physical and behavioral health services are also essential to maintaining safe and stable housing over a young person’s lifetime, and require similar efforts on behalf of youth and at the systems level.
- Communities must take affirmative steps to ensure improved practices reach youth of color, LGBTQ youth, and other youth who are overrepresented in the juvenile justice system or disproportionately experience homelessness.

To access the *Principles for Change* and other documents that are part of this project visit [www.juvjustice.org/homelessness](http://www.juvjustice.org/homelessness)

### Why focus on 18- to 24-year-olds?\*

Recent research from Chapin Hall at the University of Chicago shows that nationally, **1 in 10** young adults, or **3.5 million young people ages 18-25** experience homelessness in a year, 73% for one month or more.<sup>I</sup> This includes many different experiences, from sleeping outdoors or in emergency shelters to sleeping in cars or “couch surfing.”<sup>II</sup> As discussed in detail later in this publication, some groups of young adults are at greater risk of experiencing homelessness, including those who are African-American, Hispanic,<sup>III</sup> LGBTQ, or are unmarried parents or do not have a GED or high school diploma.<sup>IV</sup> Nearly half of young adults who experience homelessness have also been incarcerated (in the juvenile or criminal justice system).<sup>V</sup>

\*Juvenile justice advocates and system stakeholders often include youth ages 18-24 when discussing young or emerging adults, although different resources may use other age ranges.

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On a single day, approximately 7,000 youth ages 18-20 are incarcerated or in some type of residential placement in the juvenile justice system.<sup>vi</sup> Many more young adults are involved with the juvenile justice system in states that extend jurisdiction beyond age 20, or through non-residential supervision (e.g., probation or parole) and services. Similar to the risk of homelessness, African-American and Latino youth are also overrepresented in the juvenile justice system, and these disparities worsen with deeper system involvement, as discussed below. Trends in laws and policies, discussed in the section on youth in out-of-home secure placements, below, may also be driving an increase in the population of young adults in the juvenile justice system.

### Key differences between minors and young adults experiencing homelessness and juvenile justice involvement

As juvenile justice systems work with a growing population of youth age 18 and over (see below), the difference between young adults and younger adolescents will require different approaches and offer different opportunities. Minors are often unable to contract for necessities, to consent to their own health care and to make essential decisions about their own lives, although there are some state laws that make exceptions in certain circumstances. As legal adults, young people at age 18 have many more options available to them. They have a right to contract for their own housing and other services, and to receive public benefits they are entitled to directly rather than through a parent or guardian.

When youth exit the juvenile justice system, or are under probation supervision, after age 18, their parents are no longer legally required to house them, and are no longer legally entitled to make decisions on their child's behalf. Although many families will welcome their children home, and healthy and supportive relationships are extremely beneficial to young people even if they live elsewhere, returning to the family home may no longer be the default transition plan. Youth may be barred from living with their families due to their justice involvement, there may be safety issues in the home, or the family's financial situation may not allow them to take care of one more person. Services can and should be offered to families, but as youth near and pass age 18, they need to have housing plans and options beyond living with their parents.

### Young adults in the juvenile justice system

Recent and long-term trends suggest that jurisdictions may need to pay additional attention to an increasing population of older youth and young adults in the juvenile justice system. The Campaign for Youth Justice notes that "since 2005, 36 states and the District of Columbia have passed 70 laws to reduce the number of youth prosecuted, tried, and incarcerated in the adult system."<sup>vii</sup> In addition to the efforts to keep minors in the juvenile justice system, some juvenile justice stakeholders have called for young adults aged 18-24 to be kept in the juvenile justice system, or to be part of a "third system,"<sup>viii</sup> arguing that placing young adults in the criminal justice system is inconsistent with adolescent brain development and societal trends.<sup>ix</sup> Between 2016 and 2018 legislators in four states, Connecticut, Illinois, Massachusetts and Vermont, proposed legislation to keep at least some young people 18 or older in the juvenile justice system.<sup>x</sup> Vermont also passed legislation which will allow some young adults, up to age 22, to be considered "youthful offenders" and be supervised by either the juvenile or criminal justice system, with that decision made individually in each case upon petition by the State's Attorney and acceptance by the Family Division.<sup>xi</sup> Massachusetts' law was passed by the state Senate only.<sup>xii</sup>

**Original jurisdiction:** Each state sets its own requirements for the upper age at which youth enter the juvenile justice system, as opposed to the criminal justice system. This age of "original jurisdiction" is 17 in most states, meaning that most youth arrested before turning 18 would enter the juvenile justice system.<sup>xiii</sup> Only five (5) states currently set original jurisdiction at 16: Georgia, Michigan, Missouri, Texas, and Wisconsin. (Regardless of the age of criminal responsibility, every state has at least one mechanism that enables charges for younger youth to originate



in criminal court, whether determined by age, charge, criminal history, or other criteria. These “transfer” statutes require adult court—rather than juvenile—jurisdiction for children as young as 7 years old.)

**Extended jurisdiction** Once a young person has entered the juvenile justice system, they can remain under the supervision of that system past the state’s age of original jurisdiction through “extended jurisdiction.” In 2016, according to the Office of Juvenile Justice and Delinquency Prevention’s Statistical Briefing Book (<https://www.ojjdp.gov/ojstatbb/>), the age of extended jurisdiction was set at:

- Age 18 or 19 in 6 states;
- Age 20 in 35 states plus the District of Columbia;
- Age 21 or 22 in 2 states; and
- Age 24 in 4 states.<sup>xiv</sup>

These extended ages of jurisdiction may also mean that more youth are remaining under juvenile justice agency probation supervision in their own communities for longer periods of time. For example, a young person released at 17 might spend the next five years on probation, which could come with curfew restrictions and other items that pose challenges for those lacking housing.

**Blended sentencing/placements:** Some jurisdictions also impose concurrent or sequential juvenile and criminal sanctions, and/or allow youth who were convicted in adult courts to be housed in juvenile justice facilities.

**Other circumstances:** There also may be youth who are alleged to have committed an offense at age 17, but are age 18 during their adjudication

## Young Adults in the Criminal Justice System

This publication is primarily focused on providing guidance and recommendations for preventing homelessness among 18- to 24-year-olds who are involved in the juvenile justice system. The juvenile justice system is more equipped than the criminal justice system to meet youth’s therapeutic and educational needs because its goal is rehabilitation, rather than punishment. However many of the strategies discussed here could be instructive for youth involved in the (adult) criminal justice system as well, particularly in states or local jurisdictions that have recognized the differences between young adults and older individuals by providing targeted facilities, programming, training, etc.<sup>xvi</sup> Regardless of which system your state charges with supervision of young adults, placements, programming and services for young adults should be informed by research and best practices on:

- adolescent brain development;
- which interventions (or types of interventions) are most effective for young adults; and
- the impacts of trauma on young people, particularly the traumatic effects of incarceration and isolation/solitary confinement.

One example of this type of response is the T.R.U.E. unit for 18-25 year old young men, currently being piloted in Connecticut’s Cheshire Correctional Institute (part of Connecticut’s adult criminal justice system). The Vera Institute of Justice, which is providing technical assistance to the program, describes T.R.U.E. as a “groundbreaking model that reimagines incarceration for young men aged 18-25—an age where neuroscience tells us young people are still developing in important ways” adding that the unit “changes the culture of corrections by drawing on lessons from American juvenile justice, international examples, and academic research.”<sup>xvii</sup>

For guidance on reducing criminal justice system involvement among young adults, see the National League of Cities’ work at <http://nlc.org/reducing-the-presence-of-young-adults-in-jail>. For information on keeping youth in the juvenile justice system rather than the adult system, see the Campaign for Youth Justice’s website at <http://www.campaignforyouthjustice.org/>.

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*Efforts on behalf of youth in secure out-of-home placements:* As states have made progress on reducing the number of youth entering the juvenile justice system, many advocates and policymakers are now focusing on improving responses to youth who are in secure residential placements after being adjudicated delinquent.<sup>xv</sup> Youth prisons in many states are closing (due to declining populations, ineffectiveness, inhumane conditions at some facilities, and other reasons). Combined with the trends discussed above, jurisdictions may be serving older youth, often with significant needs, in their communities, and many of those youth may be re-adjusting after spending many years in institutions. Community-based care has been shown to better meet the needs of youth, and for many young people stable housing will be one of the needs juvenile justice agencies must help meet.

## PRINCIPLES FOR CHANGE AND YOUNG ADULTS

The *Principles for Change* share information and guidance relevant to youth experiencing homelessness and/or involved in the juvenile justice system. Key points of each Principle are shared below, along with more detailed guidance on their application to young adults; see the full Principles for additional information. (For a discussion of how the term “homelessness” is defined generally, and used in this document, see Appendix B.)

**Principle 1. Ensure that the laws and policies in your jurisdiction do not lead youth experiencing homelessness to be cited, arrested, or charged for survival acts or “quality of life” offenses.**

Laws and policies that forbid sitting, sleeping, eating or performing other life-sustaining acts in public punish young people solely because they do not have a safe and stable place to live, and should be changed or repealed. Youth may also become involved with the justice system in other circumstances that are directly related to homelessness and poverty including:

- Being arrested for trespassing while seeking shelter on an urban rooftop, in an unused home or commercial building, or after hours in a business.
- Being unable to pay fines or fees for minor or non-criminal offenses (e.g., unpaid car tickets), or not receiving notice of tickets or court dates due to lack of a current mailing address, and acquiring a warrant as a result.
- Stealing food or property, or performing other illegal acts to obtain money to buy food or pay for shelter or other items necessary for survival.

Fines, fees, and tickets, including citations for acts like accessing public transit without payment (e.g., turnstile jumping) can also lead to a spiral of deeper justice involvement for young people who did not have the funds to pay even small amounts in the first place. Conditions of release or probation that require youth to remain housed also effectively criminalize youth for homelessness, and can lead youth to stay in exploitative or highly unsafe situations in order to avoid incarceration.

***Applying this Principle to 18- to 24-year-olds:*** Youth exiting the juvenile justice system or on probation may struggle with employment and housing, in part because of their juvenile justice involvement. Having overly punitive laws and policies in place about sitting, sleeping or otherwise being in public places can lead to re-arrest and further court involvement, as well as jeopardizing probationary status.

-Ensure pre-arrest diversion (with no documentation) is the norm for young adults to avoid arrests for minor infractions, such as many of those listed above, which can trigger probation violations and deeper system involvement for young adults under ongoing juvenile probation supervision.

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In most circumstances, an arrest due to one of the situations described above would send youth into the criminal rather than juvenile justice system. However in states that have extended juvenile jurisdiction, and as more states raise their age of jurisdiction, stakeholders ensure that the juvenile justice system can retain (or obtain) jurisdiction, and offer a services-based approach.

- As states consider raising the age at which arrested young people enter the adult criminal justice system vs. the juvenile justice system, ensure that education and training of law enforcement, lawyers, judicial officers, and other justice system professionals, support development and implementation of effective policies, practices, and programs for young adults.

Stakeholders should also follow the recommendations in the *Principles* for combatting laws that criminalize homelessness and unnecessary fines and fees. Other important strategies, include:

- Ensuring youth have opportunities for diversion and to avoid deeper system involvement (see Principle 2 for more).
- Helping youth obtain identification documents to verify their age, and to allow them access to services that can prevent the need for illegal acts (see Principle 3 for more).
- Ensure that youth who do not have a consistent address or way of receiving mail, or access to transportation, do not get arrested or otherwise unduly penalized, including by having their car impounded or their driver's license suspended, for failing to appear in court to address tickets or citations.
- Revise any local and state laws that punish young people for merely being present in a particular place or for being known to law enforcement. For example, laws that presume that young people are gang-involved if they are seen with known gang members, or anti-trafficking laws that protect youth from "prostitution" charges until they reach age 18, but not after even though the circumstances that led to the trafficking, such as homelessness, have not changed. Similarly, youth who are spending more time on the streets may be particularly vulnerable to charges of failing to help law enforcement with investigations or giving false information, even if they did not actually witness something, or would be putting their own safety at risk by speaking to law enforcement.
- Provide young adults with effective legal representation both to defend against charges and throughout their entire juvenile justice system involvement, so a legal advocate can help secure appropriate services and defend against alleged probation violations. Effective legal representation for young people is provided by attorneys with training and experience in juvenile proceedings, trauma, adolescent

### Reasonable probation requirements and expectations

Maintaining stable housing should never be a condition of release, probation or parole; youth may have no choice at all, or their only options may be unsafe or exploitative. Juvenile justice systems should avoid probation requirements that set young people up for failure if they engage in age-appropriate behavior. For example, if it is a probation violation to be with someone else who is on probation then that means they cannot form friendships without great risk because they do not know who else is on probation, and many of the people they meet through services (e.g., positive/pro-social activities that are part of aftercare) may also be on probation. In general, pro-social activities and services should be as real world as possible, with the opportunity to interact with other youth who are not all justice-involved. If probation orders allow an officer to search a young person's entire residence, this also interferes with the ability to have roommates, making housing even more expensive and difficult to obtain. Youth who are transitioning after justice involvement need to be reintegrated, rather than isolated, from supportive adults and peers in their communities.

development and other relevant topics. All youth should have access to counsel including a free and effective juvenile defender, and free civil legal services (e.g., to assist with housing and other issues).

**Principle 2: Ensure that young people are diverted from juvenile justice system involvement whenever possible, and that any diversion programs or services are appropriately tailored to meet the needs of youth experiencing homelessness.**

All young people who come into contact with the juvenile justice system should be afforded every possible opportunity to be diverted before arrest when appropriate or before court-involvement. When court involvement is unavoidable, youth should have access to alternatives to incarceration and community-based programming to avoid deeper system involvement. Youth who are experiencing homelessness are likely struggling to meet all of their basic needs, and may not have access to transportation or communications, making it more difficult to fully engage in programming. Law enforcement, courts, and other relevant stakeholders should:

- Ensure that policies and procedures for decision-making do not allow lack of a fixed address to prevent youth from accessing diversion or other community-based programs.
- Develop alternatives or supports to allow youth with limited means to participate in programming, particularly when “checking in” by phone or attending meetings in person are required (e.g., help purchasing cell phone minutes, or transportation assistance, opportunities to make up missed sessions).
- Provide case management support, including assistance with housing and other basic needs, as part of all juvenile justice services.
- Ensure that youth are never pushed deeper into the system, or kept involved longer than necessary, because of service needs. As stated in the *Principles*, “Youths’ needs can be addressed through a wide range of services without the negative consequences associated with secure confinement and other residential placements.” This may require blending or braiding funding so that youth can continue to be served without an open juvenile justice case. Possible sources of funding could include local, state, or federal public or private resources, including: juvenile justice prevention funds; runaway and homeless youth funding; general housing and homelessness funding; child welfare funding; as well as education, behavioral health and other social services funding.
- Provide flexibility in rules and requirements for participation in diversion or other programming to ensure youth can meet their basic needs without being pushed deeper into the justice system (e.g., scheduling around a young person’s school or work hours, or rescheduling a probation or court meeting without penalty if the young person did not receive notice because it was mailed to an address they no longer have.)
- Partner with appropriate community agencies serving youth experiencing homelessness to determine how best to keep the youth they serve out of the juvenile justice system, and to meet their needs within the system.

***Applying this Principle to 18- to 24-year-olds:*** As jurisdictions raise their ages of original and extended juvenile jurisdiction, policies for diversion and other community-based programming should make clear that all youth under juvenile justice jurisdiction may access them, even if they are 18 or older. For example, states may offer specialty courts or programs tied to particular populations or offenses, such as a girls’ court or juvenile drug court, or special policies, such as different treatment of domestic violence when it occurs between an adolescent and a parent or sibling.<sup>xviii</sup>

For any of these targeted programs or policies, states should make sure that these approaches are applied to older youth involved with the juvenile justice system as their ages of jurisdiction change. Also, because diversion and other community-based programs can last for weeks, months, or more, their policies should explicitly state that youth may remain involved until the end of juvenile justice system jurisdiction even if they turn 18 while in the program. (As discussed above, however, justice system jurisdiction should not be extended solely to ensure service provision.) Programming should also be adjusted as needed to be appealing to and appropriate for older youth, and should allow youth to participate while still meeting parenting and work or school obligations.

States should also consider whether young adults would more appropriately be placed in the juvenile justice system,<sup>xxix</sup> and consider raising their ages of original and extended jurisdiction.

Note that child welfare systems can play a significant role in preventing homelessness or juvenile justice involvement. See the *Principles* for specific recommendations for how child welfare systems can better meet the needs of youth at risk for these experiences. For 18- to 24-year-olds who were involved in child welfare systems when they entered the juvenile justice system (or earlier in their lives) it may be particularly important to provide education about and support for accessing services available through extended foster care or programming for foster care alumni.

**Principle 3: When juvenile justice system involvement cannot be avoided, ensure that comprehensive transition planning begins immediately after—and continues throughout—a youth’s confinement or probation supervision.**

Effective transition planning/re-entry or aftercare services can mean the difference between experiencing homelessness or not for young people who’ve been involved in the justice system. Transition or re-entry planning should start as soon as a young person enters the juvenile justice system, and should continue throughout their involvement, with changes made as the young person’s circumstances evolve. Transition planning should focus on long-term housing stability, not simply where a young person will sleep the night they exit the system, and each young person should have multiple “backup plans” in case their planned housing does not work out. At a minimum, transition planning should address:

- housing;
- family and other relationships;
- education;

### San Francisco Young Adult Court

In San Francisco, eligible 18- to 25-year-olds can participate in Young Adult Court, which “strives to align opportunities for accountability and transformation with the unique needs and developmental stage of this age group.”<sup>xxx</sup> In a recent assessment of the YAC, a significant percentage (32%) of young people participating in the YAC had experienced homelessness, and 13% were currently experiencing homelessness when they entered the program.<sup>xxxi</sup> Participation in the YAC includes an orientation; case management services; a wellness care plan (jointly developed by the participant and a case manager) which can include housing support; court appearances and pre-court case conference meetings; drug testing; and rewards and consequences for behaviors (as explained in a YAC Participant Handbook).<sup>xxxii</sup> The YAC prioritizes felony cases over misdemeanor cases, with some cases handled pre-plea and others addressed on a deferred entry of judgment or probation basis, depending on the charge.<sup>xxxiii</sup> Although the YAC is part of an adult criminal justice system response, some of its practices and procedures could certainly be used by courts in the juvenile justice system that serve older youth in states with older ages of jurisdiction.

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- employment;
- life skills and healthy relationships;
- physical and mental health;
- juvenile records and other legal issues; and
- access to vital documents

Additional guidance is available in the publication *Key Elements of Transition Planning to Prevent Youth Homelessness* reprinted in Appendix C, as well as in the *Principles for Change*, and in Principle 5 below.

**Applying this Principle to 18- to 24-year-olds:** In addition to all of the elements discussed above, juvenile justice systems should offer specialized transition planning informed by the different legal or service options for youth over 18.

-Facility and probation staff should receive training so that they understand the different services and opportunities for youth after 18.

-Transition planning should reflect the fact that although a youth may have been living with family, or in foster care, when they entered the system, that may not be an option for them if they are exiting at age 18 or later (although some youth may be returning to family, or may be able to access extended foster care or related benefits).

-Planning should also reflect that as legal adults, young people can contract for their own housing and other services (and need the financial resources and credit history to be able to do that).

-Youth who were previously included in their parents' health coverage or public benefits and are no longer able to receive those benefits should receive assistance applying for their own.

-Transition planning and all case management should reflect a nuanced understanding of the increasing independence and self-determination of older youth.

**Principle 4: Ensure your community has both long- and short-term safe housing options available for youth who are, or have been, involved with the juvenile justice system.**

Juvenile justice and homelessness stakeholders must work together to ensure that jurisdictions have appropriate short- and long-term housing options for youth to ensure that youth never spend additional time in justice system custody because they have “nowhere else to go.” These stakeholders must address the barriers posed by having a juvenile or criminal record through system reform and direct assistance to young people. Even for young people connected to homelessness service providers and case management services, those providers struggle to find options when an individual has a record, particularly if they have been adjudicated for a sex offense. (For

### **Voluntary aftercare services offered through the juvenile justice system**

As discussed above, youth probation should also never be extended solely for youth to receive services, since this could result in a youth violating a condition of probation and being incarcerated. Instead, states should offer voluntary services (supported by juvenile justice funding) after the completion of probation that do not carry any risk of re-involvement in the justice system. One example of this is the YES (Youth Engaged in Services) program in Massachusetts, which allows youth discharged from the Massachusetts Department of Youth Services to receive services including housing (independent living), case management, secondary education, and employment services and support on a voluntary basis after their required juvenile justice involvement ends. More information about the YES program is available in Appendix A.

more, please see the discussions in Principles 3 and 6.) Housing options need to be culturally responsive (e.g. allow you to eat food that meets religious requirements) and available without discrimination or bias.

### Learning From Other Systems

In meeting the needs of young people in or exiting juvenile justice custody or supervision, system professionals may want to look to examples from the foster care or adult correctional system, or from community-based organizations serving individuals exiting foster care or the criminal justice system. Some examples from across the country are described below. (It should be noted however, that agencies are not always able to implement programs as intended, and even the best models and ideas must be used/adapted in ways that are appropriate to 18- to 24-year-olds and the different goals of the juvenile justice system.)

In **California**, state law requires that young people exiting foster care at or after age 18 be provided with their birth certificate, social security card, a driver's license or non-driver ID, a "health and education summary" described in statute, proof of citizenship or legal residence (if applicable), a letter documenting the youth's foster care status that meets state and federal financial aid requirements, and several other documents.<sup>xxiv</sup> (This includes young people exiting group homes and other foster care placements that are supervised by probation.) California also offers independent living transition programming that helps connect youth and young adults to financial, employment, education, and housing services.<sup>xxv</sup> California law also allows youth currently in juvenile justice system custody to petition to enter foster care. Bay Area Legal Aid's Youth Justice Project, which represents numerous youth on such petitions, explains that this "allows youth to access additional services and supports while on probation and, if they turn 18 subject to a foster care order, after dismissal of probation through extended foster care."<sup>xxvi</sup> Their attorneys have also authored a resource to help juvenile defenders aid youth in this process.<sup>xxvii</sup>

The **District of Columbia** has a Mayor's Office on Returning Citizen Affairs, whose "mission is to provide zealous advocacy, high-quality services and products, up-to-date, useful information for the empowerment of previously incarcerated persons in order to create a productive and supportive environment where persons may thrive, prosper and contribute to the social, political and economic development of self, family, and community." (<https://orca.dc.gov/>) DC's Criminal Justice Coordinating Council also maintains an online Resource Locator showing services and resources available to returning citizens (<http://www.cjccresourcelocator.net/ResourceLocator/>), and the Court Services and Offender Supervision Agency for the District of Columbia maintains a wealth of re-entry resources on its website (<https://www.csosa.gov/reentry/resources.aspx>).

In **Maryland**, the Department of Public Safety and Correctional Services developed agreements with other relevant state and federal agencies to provide individuals leaving state prisons with birth certificates, social security cards, and state IDs at no cost. Motor Vehicle Administration mobile units also visit state prisons periodically to provide driver's license renewals or non-driver ID cards.<sup>xxviii</sup> Montgomery County Maryland's jail-based re-entry programming provides collaborative case management in partnership with over 40 local direct service providers.<sup>xxix</sup> In Baltimore, community-based nonprofit Power Inside offers jail and prison re-entry and aftercare services as part of their work to achieve "safety, dignity and justice for women in Baltimore." (<http://powerinside.org/>)

In **Chicago**, individuals returning from incarceration, experiencing homelessness, or in numerous other situations can receive a municipal ID for free, or for \$5 or \$10 depending on their circumstances.<sup>xxx</sup>

Many jurisdictions have special "homeless courts" as part of their criminal justice system. As with young adult courts, elements of these specialty courts could be informative to juvenile justice proceedings. The American Bar Association has produced and collected numerous resources on homeless courts, available at [https://www.americanbar.org/groups/public\\_services/homelessness\\_poverty/initiatives/homeless\\_courts.html](https://www.americanbar.org/groups/public_services/homelessness_poverty/initiatives/homeless_courts.html).

For additional re-entry examples and resources from the criminal justice system, visit the Council of State Governments' National Reentry Resource Center at <https://csgjusticecenter.org/nrrc>. Several additional examples of local collaboration and innovation to ensure housing for individuals exiting the adult criminal justice system are shared in "Housing for the Justice-Involved: The Case for County Action," available at <http://www.naco.org/sites/default/files/documents/Reentry-Housing-FINAL.PDF>. For resources related to transition planning for youth exiting the foster care system visit the Child Welfare Information Gateway at <https://www.childwelfare.gov/topics/outofhome/independent/>.

**Applying this Principle to 18- to 24-year-olds:** Not every young person will be able to live with their parents after exiting justice system custody, so communities need to have a range of available and appropriate housing options. This may be particularly true for young adults, whose parents no longer have a legal obligation to house them and may also be struggling to meet the needs of younger family members. As legal adults, however, young adults may be able to access a wider range of housing options such as signing a lease on their own apartment.

For young adults who are not able to return home due to safety concerns or unresolvable family conflict, independent living (often with rental assistance, at least initially) may be the preferred option. For youth who want or need more support or supervision, transitional housing or specialized foster care may be utilized. In Massachusetts, for example, youth can live in group homes with peers and specially trained house parents, while under juvenile court jurisdiction. These settings are available as short-term, pre-court community-based alternatives to secure detention, or as longer-term options for youth who are unable to live with family.<sup>xxxI</sup>

### Keeping youth in communities

The difficulty of navigating the transition from juvenile justice custody back into the community is just one of the many reasons juvenile justice systems should keep youth in their own communities right from the start. Youth who are kept at home, or in residential placements in their own communities, will have an easier time connecting to services and staying connected when justice-involvement ends. Also, some services may only be available to residents of a particular county or city. When keeping youth close to home can't happen, juvenile facilities should make sure case managers or other staff know about services available in the communities youth are returning to, including eligibility requirements.

**Homelessness system responses:** Several jurisdictions are working to make their homelessness systems, including their Continuums of Care and Coordinated Entry policies and practices, more responsive to young adults and/or young people involved in the juvenile justice system.<sup>xxxII</sup> A first step to doing this successfully is to identify these populations as a priority in planning documents, workgroup meetings, etc. For communities who are focusing on 18- to 24-year-olds (as well as those focusing on minors), juvenile and criminal justice system stakeholders must be at the table, and all policies should be reviewed to ensure that they are not unintentionally contributing to more or worse homelessness among youth who've been involved with the justice system. These planning meetings and discussions must lead to actual practice change to support young people.

Jurisdictions may also need to take special steps – or change policy – to make sure that common housing strategies such as Transitional Living Programs, Rapid Rehousing and Permanent Supportive Housing are available to youth exiting or involved with juvenile justice systems and that they are not barred by their juvenile records. Stakeholders should ensure that young people are eligible to be served by U.S. Department of Housing and Urban Development (HUD)-funded Continuums of Care or other homelessness services coordination agencies, which may involve having those entities make changes to their definitions of “homelessness” so that young people do not have to put themselves in unsafe situations before receiving services. Regulations and prioritization also currently place greater emphasis on individuals who have been homeless for longer, effectively preventing youth from accessing already scarce services.

Some youth and advocates have also identified policies barring young people from having roommates as a significant barrier to housing youth, including those with past justice involvement. In addition to being a typical developmental experience for young adults, living with a roommate can help cut costs, bringing the price of housing and other living expenses into reach for young adults. Federal and other agencies should examine their policies and practices to ensure that they do not have unnecessary restrictions on non-family members living together.



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*Short-term/crisis programs:* Good planning should avoid the need for crisis housing for youth exiting the juvenile justice system. However, if young people do need to access these programs, communities should have options that are specific to young adults, who may be unsafe in adult shelters with much older residents, or whose needs may not be met by a program geared at populations who are older, and may have more severe mental health or substance abuse issues. (As with all services, young people share their experiences with each other and if some young people in a particular program recognize a lack of safety or appropriateness, many more will avoid accessing it, even if they do not have good alternatives.)

In Utah, young adults who are in state custody are barred from accessing emergency shelter services. Salt Lake City's homeless youth provider, Volunteers of America, worked with the Division of Juvenile Justice on a pilot program that allows the juvenile court to continue juvenile court jurisdiction but release youth from the custody of the state so that they can access shelter if they choose. (This agreement was developed as part of a Transitional Youth Court pilot program which will launch in 2018 and will include court oversight, case management, and service provision informed by a "specialized understanding of the challenges faced by youth experiencing homelessness.")

*Rural communities/host homes:* Recent research has shown that youth and young adult homelessness is just as prevalent in rural areas as urban areas.<sup>xxxiii</sup> Juvenile justice and homelessness stakeholders should ensure that appropriate housing options are available for young people in rural areas. Host homes, which involve young people living with community members, are often used and can be a good solution for youth involved in the juvenile justice system with appropriate supports. Since these homes may not be subject to the same regulations as foster care or juvenile justice placements, additional steps may be needed to ensure they are safe for young people. Some promising practices for host homes include allowing young people to choose their hosts, and providing support and case management for youth and training and support for hosts, as well as documenting shared expectations.<sup>xxxiv</sup> Rural outreach programs can also be a useful resource, particularly for young people with court records. While these programs vary by needs of a jurisdiction, they often involve a van that travels over several counties, and include outreach workers who do school presentations and post flyers and other information

### Rapid Re-housing

Rapid re-housing has been used to connect many young adults with housing, in some cases while providing additional incentives or supports. As explained in the *Principles*:

Some rapid re-housing programs develop relationships with landlords and provide supports to encourage landlords to "take a risk" on a tenant they might not otherwise be willing to rent to, such as first time renters. These supports can include a hotline to call with issues or the provision of mitigation funds to cover property damage and similar costs. As part of the 100-Day Challenge in Austin, Texas homelessness organizations worked with property developers to rent single family homes to young adults. This allowed the young adults to have low-cost housing and develop a good rental history. It also allowed the developers to generate income from properties that would have otherwise sat empty. For more examples of landlord-specific strategies, visit [bit.ly/2kTtfGn](http://bit.ly/2kTtfGn).

As with all strategies aimed at connecting young people to housing, jurisdictions using rapid rehousing should ensure that young people have what they need (e.g., education and experience to secure employment at family-sustaining wages) so that they can meet rental payments and other obligations once subsidies and other supports end. Additional resources on rapid rehousing are available from the National Network for Youth at <http://www.nn4youth.org/wp-content/uploads/NN4Y-Youth-Centric-Rapid-Re-Housing-October-2015.pdf> and from the National Alliance to End Homelessness at <https://endhomelessness.org/resource/rapid-re-housing-for-youth-toolkit/>.

about resources at community centers, schools and other areas where youth spend time.

In almost every community, however, the number of beds available for youth experiencing homelessness is inadequate to meet the great need, largely due to lack of funding. As juvenile justice systems realign their funding and services to focus less on incarceration and more on community-based care and prevention, supporting short-term housing options offered through social services providers, and services that allow youth to obtain and keep long-term housing, is essential. This includes funding alternatives to detention, and putting prevention funding towards short- and long-term housing for youth (unrelated to the justice system) in order to prevent youth from having to commit illegal survival acts.

**Principle 5: Ensure your community provides youth and their families with related services and supports that can help them obtain and keep safe and stable housing.**

Juvenile justice and homelessness stakeholders must work together to determine how communities can identify and serve youth at risk for homelessness without deepening juvenile justice involvement or bringing more young people into the justice system (sometimes called net-widening). Essential services for youth who've been involved in the juvenile justice system and who are at risk for homelessness, beyond housing itself (see Principle 4), must address:

- record sealing/clearing/expungement;
- access to vital documents/IDs;
- employment;
- access to/application for public benefits (WIC, SNAP, SSI);
- legal representation;
- mental health and wellness;
- physical health and nutritional needs;
- substance abuse treatment;
- education;
- transportation to access these other services (and shelter); and
- family-related services (e.g., reunification with the young person's own children, interventions to support relationships with the young person's parents or other family members).

### Housing and Support for Higher Education

Colleges and universities should have campus housing available during breaks and summers for young people who do not have other options. Homelessness providers should also ensure that there are backup options available to young people who have to leave college housing during breaks or unexpectedly (e.g., due to personal challenges). Colleges and universities should also ensure that policies around justice involvement are not contributing to young adult homelessness (e.g., young people who are arrested are automatically and/or immediately ejected from housing). Higher education has enormous potential to connect youth to better employment and therefore stable housing, and every effort should be made to support youth who want to attend college, while also recognizing and addressing housing-related challenges they may face. (Currently HUD policy does not consider exiting a HUD-funded program to enter college housing to be a "good outcome" because that housing is "time-limited." Federal policymakers should consider changing or providing for appropriate exceptions to this policy.)

### Ensuring a full continuum of housing supports and services

The National Network for Youth’s “Proposed System to End Youth and Young Adult Homelessness” outlines the different long- and short-term housing options communities can offer to young adults (e.g., crisis programs, transitional living, supportive housing), as well as the services that are needed to ensure housing stability and permanency. The goal of the Proposed System is for housing placements and services provided to be assessment-driven, and aimed at providing young people with what they need, when they need it. This means planning for flexibility: If a young person starts in a particular program (whether a housing placement or service) and it is not working for them, they can see if something else is a better fit for them without being penalized. The flexibility to change housing programs or models based on success or lack thereof is particularly important for young people, since they are dynamic, and discovering who they are. For example, a young person who enters a low barrier program and is doing well may want to transition to a program that includes more life skills training (e.g., helping with meal prep), even if it has more rules and regulations to follow. Learn more at <https://www.nn4youth.org/learn/proposed-system/>.

For youth who have been in secure or residential care, successful re-entry requires good advance planning, including transition-related services as discussed in detail in Principle 3.

***Applying this Principle to 18- to 24-year-olds:*** The services outlined above were discussed in detail in Principle 3 in the context of meeting the needs of youth while in juvenile justice system custody and as they transition back into their communities. Some additional considerations for young people who are in their communities and not in residential/juvenile justice placements are discussed below. Just as recommended for minors, these services for young adults must be culturally responsive and avoid discrimination and bias. Whenever possible, case management should be available to help young people navigate and take full advantage of these services.

***Record sealing/clearing and sex offender registries:*** The ability to seal or clear a record, or to de-register as a sex offender may be triggered by a certain amount of

time passing or by reaching a specific age, so young people may need reminders and assistance as these dates arise. As discussed in Principle 3, these services can be provided by juvenile defenders offices, civil legal aid providers or pro bono legal clinics. Some communities have also developed cell phone apps or websites to assist individuals. OJJDP and HUD have also collaborated to fund reentry services including record sealing and expungement, and related legal services.<sup>xxxv</sup> Also, from a policy perspective, making record clearance simpler, or even automatic, can reduce the burden on individual youth and on service providers, allowing them to focus more on other needs and services.

***Access to vital docs/IDs:*** Similarly, the type of identification a young person is eligible for (e.g., municipal ID vs. state issued or driver’s license) may change as time passes and they engage in more resources and build more community connections.

***Employment:*** Significant federal funding supports local workforce boards and programs, yet youth involved in the juvenile justice system are underserved by these efforts. Juvenile justice agencies and workforce boards and other employment programs should ensure that employment programming prioritizes, is accessible to, and meets the needs of young people with current or past justice involvement. Youth Advocate Programs and the National Youth Employment Coalition published specific recommendations on how to do this, available at <http://www.yapinc.org/Portals/0/Documents/Fact%20Sheets/Connecting%20Systems.pdf>.

***Access to/application for public benefits (WIC, SNAP, SSI):*** Youth should receive assistance applying for benefits, and appealing benefits decisions if necessary.

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- The SSI/SSDI Outreach, Access and Recovery (SOAR) Technical Assistance Resource Center has collected resources about using the SOAR process to prepare SSI applications for transition age youth with high approval rates at <https://soarworks.prainc.com/article/using-soar-transition-age-youth>.
- Several jurisdictions have also focused on young adults as part of Substance Abuse and Mental Health Services Administration (SAMHSA) Cooperative Agreements to Benefit Homeless Individuals (CABHI) grants (<https://www.samhsa.gov/homelessness-programs-resources/grant-programs-services/cabhi-program>).
- Alameda County, California's SSI Advocacy Trust also offers legal advocacy to youth aged 16 ½ and up who are juvenile justice-involved. (See <https://www.strongnation.org/articles/555-local-spotlights> for more information.)

*Legal representation:* Legal representation, including post-disposition delinquency representation, can help youth defend against alleged probation/parole violations as well as address other issues discussed in this section, such as record sealing, and access to benefits and vital documents.

*Mental health, substance abuse and wellness:* Research and experience have demonstrated the value of peer-based services, so communities should ensure that they have adequate services available, and that they are targeted to young adults (e.g., that a 19-year-old is not simply being referred to a 12-step program with all 40- and 50-year old participants). Additional or different services may be needed as treatment progresses and the young person has spent more time in the community and out of justice system custody. Service providers should assist young people with navigating these changes, including finding providers and paying for care.

*Physical health and nutritional needs:* Young people should be connected to health coverage and/or to high quality, low cost providers in their communities, including family planning services. Food is also a basic human need, and lack of it can interfere with a young person's functioning, and potentially lead to justice involvement (e.g., through theft of food or money to buy food). Communities need to have food programs in the areas where young people need them, and food should be available without requirements like proof of residency, age, or identification.

*Education:* Employment may receive more focus for this older age group, but education is essential for securing living wage jobs, and fulfilling careers. Youth should be supported in completing high school even if they are over 18 and should receive assistance enrolling and staying in college. Youth should also be informed that they can complete the Free Application for Federal Student Aid (FAFSA) as independent students, without providing parental income information or signature (see [www.schoolhouseconnection.org/learn/higher-education/](http://www.schoolhouseconnection.org/learn/higher-education/) for more information).

Community colleges should have special staff and programs to support youth who have been incarcerated, including those who may still be experiencing the effects of trauma, or may not have the same social behaviors as other youth if they were incarcerated for a major portion of their adolescence. Colleges should avoid asking about arrests and juvenile adjudications or records on their applications, as this can lead to discrimination and can discourage young people from even applying. For additional suggestions and information, see the Education Law Center's *Educational Aftercare & Reintegration Toolkit for Juvenile Justice Professionals* (<http://www.modelsforchange.net/publications/225>) and the Center for Community Alternatives' *Boxed Out* report ([http://communityalternatives.org/pdf/publications/BoxedOut\\_FullReport.pdf](http://communityalternatives.org/pdf/publications/BoxedOut_FullReport.pdf)).

*Transportation:* Even if a community has housing and other services available, youth may not be able to access them due to lack of transportation.<sup>xxxvi</sup> Some communities have addressed this by developing mobile services or co-locating services, but many more communities should adopt and/or expand these strategies. Professionals working with youth should also make sure that service referrals are accessible by public transportation and that transportation vouchers are available.

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*Family-related services:* Young people who are parents themselves may need assistance getting custody of their children if the child welfare system is involved. Even if the child was staying with a family member without system involvement, young adults may need help securing child care, medical care and other services, as well as finding housing that will allow the young person to live with their child. Young parents experiencing homelessness or involved with the juvenile justice system may also need assistance with addressing child support arrearages, which can be a barrier to obtaining housing. Young people and their families may also need services to allow them to rebuild (or build) healthy relationships, whether or not they are going to live together.

As with housing services, juvenile justice agencies should support the community providers who are serving youth exiting the juvenile justice system, or who are in danger of entering it. This must include financial support through prevention funding, fee for service contracts, cooperative/collaborative agreements, etc. It could also include in-kind support (e.g., donating physical space, bringing in training, etc.) and more creative contributions, such as stipends for families who are experiencing financial hardship to cover the cost of providing safe housing and feeding an additional household member.

### **Principle 6: Ensure that youth, and their families, are not kicked out of their homes or denied housing because the youth have been arrested or adjudicated for a delinquency offense.**

Youth may be denied public or private housing because of their juvenile records, and may have to separate from their families to avoid putting their parents' and siblings' housing in jeopardy. Youth of color and LGBTQ/GNC<sup>xxxvii</sup> youth may face additional discrimination by landlords, magnifying the impact of inequities in the juvenile justice system (see Principle 8). Individual biases, flawed public policies and anti-discrimination laws that are not strong enough (or not enforced) can all contribute to housing challenges. Youth also may not understand what they have to disclose on a housing application (e.g., arrest vs. adjudication, juvenile vs. criminal justice system involvement), as this information is complicated and varies by situation and location.

***Applying this Principle to 18- to 24-year-olds:*** As discussed above, while some families will welcome young adult children back into their homes, others will not have the resources, or may choose not to due to family conflict or other issues. Housing programs and shelters may also have policies preventing youth 18 and over from living with their parents in these settings. This means that young people who are exiting the juvenile justice system or are under probation supervision at age 18 may be faced with securing their own housing for the first time in their lives.

*Access to housing:* Youth and their families should receive assistance and education on how to find housing, fill out rental and employment application forms, etc. (This should include information on the difference between juvenile and criminal records and what must be disclosed on applications.) They should also have access to free/low-cost legal services to challenge unlawful housing practices.

States and localities should pass and enforce their own laws and policies protecting individuals from housing discrimination, rather than relying solely on federal protections and enforcement. Stakeholders should also work to limit the information public and private landlords can ask about on housing applications and restricting what information is shared in background checks, and with whom.

Legislatures and juvenile justice agencies should make sure that as they are keeping jurisdiction over youth until older ages, they are not inadvertently contributing to homelessness (e.g., probation as a barrier to housing).

Resources and examples that can support the strategies discussed above include:

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- Legislation preventing discrimination based on criminal history passed in Seattle in 2016 (<https://www.seattle.gov/civilrights/civil-rights/fair-housing/fair-chance-housing-legislation>).
- New York City Housing Authority's Family Reentry Program, which helps formerly incarcerated individuals age 16 and older reunify with family members living in public housing. (Individuals receive case management services, initially stay temporarily with family members without jeopardizing their housing, and eventually are eligible to be added to public housing leases. For more on the program design and promising outcomes, see <https://www.vera.org/publications/coming-home-nycha-family-reentry-pilot-program-evaluation>).

### *Affording housing/preventing eviction*

Youth and families should receive assistance accessing any financial support/public benefits that they may be eligible for, as well as financial literacy education, and assistance dealing with credit/debt issues.

Jurisdictions should eliminate “crime free” or “nuisance” ordinances, which can cause individuals to be evicted simply for having law enforcement called to their residence regardless of the circumstances. (For more on this, see *The Cost of Being Crime Free: Legal and Practical Consequences of Crime Free Rental Housing and Nuisance Property Ordinances*, from Sargent Shriver National Center on Poverty Law, available at [povertylaw.org/sites/default/files/files/housing-justice/cost-of-being-crime-free.pdf](http://povertylaw.org/sites/default/files/files/housing-justice/cost-of-being-crime-free.pdf) and *Protect Tenants, Prevent Homelessness*, from the National Law Center on Homelessness & Poverty, available at <https://www.nlchp.org/ProtectTenants2018>.)

### *Record clearing/expungement*

Youth should also receive information about and assistance with expunging/sealing records. (Youth who were charged with sex offenses should also receive guidance about what information is included in a public registry and at what age, as well as what the timing and process is for de-registering. They should also receive assistance with deregistering, if eligible.)

At the systems/policy level, states should enact laws requiring automatic record sealing/clearing for justice-involved youth. If this is not possible, the process for sealing/clearing records should be as simple as possible and widely publicized. Fees should not be imposed or should be waived for youth who are experiencing homelessness or financial hardship. All protections and services regarding record sealing should be available for any juvenile record, regardless of the individual's age when they request sealing.

Policies around background checks should protect youth information (e.g., a report that reads “two sealed juvenile records” can lead to housing rejection, going against the intent of sealing those records in the first place.) Limits should also be placed on who can access and receive what information, and public agency staff should receive education to ensure they protect information appropriately. This training should include information on any criminal penalties imposed for disseminating juvenile records improperly.

Resources and examples that can support the strategies discussed above include:

- The Clean Slate Clearinghouse at the Council of State Governments Justice Center, which provides state-level information on record clearance at <https://csgjusticecenter.org/cleanslate/>.
- *Juvenile Records: A National Review of State Laws on Confidentiality, Sealing and Expungement*, from the Juvenile Law Center, available at <https://juvenilerecords.jlc.org/juvenilerecords/documents/publications/national-review.pdf>

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- The American Bar Association's *Model Act Governing Confidentiality and Expungement of Juvenile Delinquency Records*, available at <https://www.americanbar.org/content/dam/aba/images/abanews/2015annualresolutions/103a.pdf>.
- Legal services and pro bono attorneys across the country assist youth experiencing homelessness with legal issues, including record sealing/clearance. The American Bar Association's Homeless Youth Legal Network maintains a directory at [www.ambar.org/hyln](http://www.ambar.org/hyln).

### **Principle 7: Ensure youth help lead and shape the identification and implementation of policy and practice solutions to address the connections between juvenile justice and youth homelessness.**

Engaging young people with lived expertise is essential to developing effective and lasting solutions. All workgroups, advisory boards, etc., working to improve the juvenile justice system or address youth homelessness should have multiple spots designated for members with lived expertise. Organizations working to address homelessness and juvenile justice involvement should actively recruit individuals with lived expertise for paid staff positions at all levels, and should ensure that their organization's staff and board are diverse and culturally competent.

It is not enough, however, to simply have individuals who have experienced justice involvement and homelessness at your table: Young people who share their experiences and insights need to be treated as experts and what they say needs to be reflected in practice and policy.

**Applying this Principle to 18- to 24-year-olds:** Older youth may be more willing and equipped to engage in policy and practice reform, and can be included in your efforts without the additional step of obtaining a parent or guardian's consent. However, if the young person is currently struggling with homelessness or otherwise meeting basic needs, their ability to fully engage will be limited, and they may need additional support, as discussed below.

To allow young people to participate meaningfully, and to enable older individuals to learn from and work effectively with young people:

- Ensure participation doesn't place undue burdens on young people by compensating them for their time, providing food and cell phone minutes, and covering costs of child care, transportation, and any clothing needed to dress appropriately while participating. Provide funds to cover any expenses in advance, rather than requiring youth to submit reimbursement requests. Help young people access assistance to address any challenges in their personal lives that can be a distraction (e.g., ongoing legal issues, threat of eviction).
- Hold meetings in places easily accessible for youth, and when this is not possible, recognize that the young person may not have the identification needed to enter the building, or may never have travelled using a particular method before (e.g., train, plane). Work through logistics in advance, provide detailed instructions, and schedule time to go over these items and to answer any questions.
- Provide basic training on the juvenile justice system and youth homelessness, as well as how policies are made or changed, including handbooks that individuals can refer back to with system maps, definitions of terms and acronyms, etc. These trainings should be optional, but open to anyone working on these issues regardless of age.
- Train all staff, advisors, and workgroup members—regardless of age—on positive youth development, adolescent brain development, trauma, active listening, implicit bias, and cultural competency. Ask them to identify other areas where they or their colleagues could benefit from training.

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- Establish shared expectations for discussion that allow everyone to contribute and be heard. Discourage use of acronyms, and encourage plain language.
- Encourage mentoring relationships and provide opportunities for young people and older adults who are partnering on system reform to also spend time together informally, such as non-working lunches or dinners.
- Make meaningful practice change based on the expertise shared by young people, and then follow up to ensure that young people know how their recommendations have been implemented, so they know the time and effort they put in (and, if applicable, their willingness to share their own experiences) had an impact. Provide opportunities for youth to advocate for systemic, policy, and/or legislative change as well.
- Offer training on (or information about) strategic sharing and other methods for preventing additional trauma when sharing past experiences. Make sure that youth know that they can give recommendations for how to improve systems or programs without sharing personal information or the specifics of their own experiences if they choose.
- Enable youth who are currently involved with the juvenile justice system, as well as those with past experience, to participate in reform efforts. Although this may require some additional approvals and logistical work, this will allow young people who are experiencing the current system to give you input. The Coalition for Juvenile Justice's Emerging Leaders Committee includes youth who are currently—or have been—incarcerated and CJJ's Virtual Youth Summit allows youth who are not able to travel due to financial limitations and other restrictions the ability to participate.
- Address youth engagement in applications for funding—commit to partnering with youth and make sure that the resources needed to do so (e.g., staff time and funding to enact the recommendations above) are part of your workplan and budget.
- Resources and examples that can support the strategies discussed above include:
  - Y2Y Harvard Square is an overnight shelter for young adults, run by students at Harvard University. In addition to short and longer-term (30 night) beds, case management, and other services, they provide leadership and advocacy "opportunities for both guests and volunteers to become the next generation's leading advocates for youth-driven solutions to homelessness." Learn more about their youth-to-youth model at <https://www.y2yharvardsquare.org>.
  - The EBP-PLUS Model: Liberating Youth, Families, and Community from the Justice System, from the EBP+ Collaborative, discusses central tenets among programs offering alternatives to incarceration which overlap with many of the recommendations discussed above. It is available at <http://impactjustice.org/2018/04/04/the-ebp-collaborative-releases-the-ebp-model-liberating-youth-families-and-community-from-the-justice-system/>.
  - The Annie E. Casey Foundation's "Do's and Don'ts for Meaningful Youth Engagement" is available at <http://www.aecf.org/m/privy/Deep-End-Resource-Guide-1c-Dos-and-Donts-of-Meaningful-Youth-Engagement.pdf>.
  - A Way Home Canada developed a "National Youth Collaboration Toolkit" which is "grounded in the experiences of a group of youth called Youth Against Youth Homelessness and their adult support team in Kamloops, British Columbia," and available at <http://awayhome.ca/wp-content/uploads/2017/06/National-Youth-Collaboration-Toolkit.pdf>.



**Principle 8: Ensure efforts prioritize lesbian, gay, bisexual and transgender (LGBT) youth, gender non-conforming (GNC) youth, youth of color, and other over-represented populations to address and reduce the disproportionalities that exist in the populations of youth experiencing homelessness and/or involved with the juvenile justice system.**

Youth of color and youth who are lesbian, gay, bisexual, transgender, or gender non-conforming are particularly at risk for both homelessness and juvenile justice involvement.

*Racial and ethnic disparities*

Research on youth homelessness from the University of Chicago at Chapin Hall found that, based on young adults' (age 18-25) reported experiences of homelessness:

- LGBT youth had a 120% higher risk;
- Black or African-American youth had an 83% higher risk; and
- Hispanic youth had a 33% higher risk.<sup>XXXVIII</sup>

Additionally, in a Center for Social Innovation study of 6 communities across the country looking exclusively at individuals experiencing homelessness, more than 89% of 18- to 24-year-olds identified as people of color.<sup>XXXIX</sup> Researchers also noted that these disparities go beyond disproportionate rates of poverty experienced by people of color. For example, although “Black people comprise 13% of the general population in the United States and 26% of those living in poverty, they account for more than 40% of the homeless population.”<sup>XL</sup>

Disparities are also widespread in the juvenile justice system. Department of Justice data analyzed by The Sentencing Project comparing rates of detention and commitment of different racial and ethnic groups to white youth found that:

- Black youth were 500% more likely to be incarcerated;<sup>XLI</sup>
- Native youth were 300% more likely to be incarcerated; and<sup>XLII</sup>
- Latino youth are 65% more likely to be incarcerated.<sup>XLIII</sup>

(Note that although the majority of these youth were minors at the time of disposition, these disparities will persist throughout their involvement in the juvenile justice system, including as young adults in locations with extended jurisdiction.) Youth incarceration rates have been declining significantly for more than a decade, but as rates have dropped for all races and ethnicities, they have dropped faster for whites, leading to even greater disparities.<sup>XLIV</sup>

Office of Juvenile Justice and Delinquency Prevention data also show that disparities are present throughout the different stages of juvenile justice system involvement with minority youth more likely to be arrested, detained and sent to long-term placements or adult courts, and less likely to be diverted.<sup>XLV</sup> Research has also shown that black boys are viewed as less innocent than white boys, and that their age is perceived to be more than 4.5 years older, on average, and that dehumanization of black boys by police officers is correlated with police violence against them.<sup>XLVI</sup> Other research has found that black girls are “more likely to be viewed as behaving and seeming older

**Hispanic/Latino Youth, Juvenile Justice, and Homelessness**

The Chapin Hall researchers identified Hispanic youth as being “especially hidden among those experiencing homelessness” based on the higher incidence in their study compared to previous measures such as “point in time counts” and figures on youth accessing federally supported runaway and homeless youth programs.<sup>XLVIII</sup> Incarceration disparity rates for Latino youth also do not show the full picture. The Sentencing Project explained that “in some states there is likely an undercount of Latinos, who are labeled as white, reducing the reported rate of ethnic disparity.”<sup>XLIX</sup>

than their stated age” and otherwise subjected to “adultification” that can lead to harsher punishments and fewer supports and resources being offered to them.<sup>XLVII</sup>

*Disparities based on sexual orientation and gender identity*

Research has also shown that approximately 20% of youth in the juvenile justice system (13.6% of boys and 40% of girls) are lesbian, gay, bisexual, transgender, questioning or gender nonconforming.<sup>L</sup> People of color are disproportionately likely to be stopped by the police, and LGBT/GNC individuals—particularly transgender women of color—may be particularly likely to be unfairly targeted by police. For example, survey data from New Orleans indicated that “transgender women of color are up to four times more likely to be harassed by police.”<sup>LI</sup>

Efforts to prevent youth from experiencing homelessness and/or juvenile justice involvement must focus on young people who are most likely to have these experience or most vulnerable to these experiences, and those who may face the most barriers accessing services. In addition to the groups discussed above, this should include youth with physical, behavioral, or cognitive disabilities,<sup>LII</sup> and recent and/or undocumented immigrants.

Belonging to more than one of these groups may put youth at greater risk of homelessness or justice involvement. Biases and discrimination based on race, ethnicity, sexuality or gender identity, disability or immigration status can also compound the challenges posed by homelessness and justice involvement. For example, someone who faces a greater risk of arrest because they are transgender may also face discrimination from potential employers, which could be compounded when they must disclose an arrest on a job application. That difficulty finding a job can make it nearly impossible to secure housing and food, leading to theft or another survival crime. Because youth have many identities (e.g., based on their gender identity, sexual orientation and race/ethnicity), it’s important to use intersectional approaches to serving youth, as well as taking steps to fight the cumulative effects of the bias and discrimination that they may face based on these identities.

“Disproportionality of homelessness experiences among black youth mirrors racial disparities documented elsewhere, for example in school suspensions, incarceration, and foster care placement. It is likely that disproportionalities in other systems, along with a weaker schooling and service infrastructure in predominantly black communities, help explain elevated risk of homelessness, but more targeted research can help pinpoint causes.”

– Chapin Hall at The University of Chicago, “Missed opportunities: Youth Homelessness in America”

**Applying this Principle to 18- to 24-year-olds:** As legal adults, youth age 18 or older have many more rights, including the right to contract for housing, to consent to needed services, and to receive public benefits. Yet with all of these services, there comes the possibility of bias and racism (as well as sexism or paternalism). For example, protections against housing discrimination may not exist for LGBTQ youth, and those for people of color may not be enforced adequately. Stakeholders must address these issues at the system/community level by ensuring that appropriate culturally competent and non-discriminatory programming is available for youth involved in the juvenile justice system or experiencing homelessness. All programs or initiatives addressing disparities in the juvenile justice system should consider homelessness in their work, and vice versa, given the compounding effects discussed above. They must also work with individual youth to ensure that they are able to access needed services, know their rights, and are not referred to programs or service providers that will make them feel anything less than completely welcome.

All programs that agencies refer to and/or fund should have non-discrimination and anti-harassment policies, appropriate training for staff, and a culture where leadership and staff treat all youth fairly and with respect, and

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expect peers and other youth to do so as well. Organizations should prioritize hiring and retaining staff at all levels who look like and have had similar lived experiences and backgrounds to the youth served.

Since law enforcement is normally the first point of contact for youth, special efforts should be made to educate law enforcement on responding effectively to youth. This includes education on how to recognize and reduce the effect explicit or implicit bias may have on their own decisions. Judges are another key audience for training and other initiatives, as they may be continuing to exercise oversight over youth remaining in the juvenile justice system past age 18.

As juvenile justice agencies are working increasingly with young adults, they should ensure that new or expanded programming targeted at these young people are also culturally competent, gender-responsive, and free of bias and discrimination. Re-entry programming may especially require affirmative steps to be able to effectively serve all youth (see the *Principles* for more information).

Reunification and family-supporting services should be offered when safe for the youth, and should include the individuals whom youth view as family. Even though young adults may not be planning to live with family members full-time once they reach age 18, they can still benefit from having healthy and positive relationships, as well as a place they know they can stay if other housing arrangements fall through. For youth who are LGBTQ/GNC and may have experienced family rejection and hostile situations in the past, however, service providers must ensure they are not asking youth to re-engage in ways that are unsafe for them (physically or otherwise). Family-related services should be offered consistent with research on LGBTQ-focused interventions, such as the work of the Family Acceptance Project (<https://familyproject.sfsu.edu>).

Given the perceptions of black youth as older, and the discriminatory outcomes that result, stakeholders should ensure that youth are offered developmentally-appropriate diversion, services and programming based on actual, rather than perceived age.

### Principle 9: Ensure that law enforcement, courts, schools, and service providers employ gender-responsive and age- and culturally-appropriate, trauma-informed responses when working with youth.

In the Center for Social Innovation study discussed earlier, individuals experiencing homelessness were slightly more likely to be male than female (56.3 vs. 43.5%).<sup>LV</sup> Females also make up approximately 28% of delinquency (juvenile justice) court cases; the remaining 72% are males.<sup>LVI</sup>

Many youth who have experienced homelessness or juvenile justice system involvement have also experienced physical or sexual violence or other traumatic experiences before or while homeless or justice-involved. Many all-too-common features of homelessness or justice-involvement can be particularly difficult for individuals who have experienced past trauma. For example, many juvenile justice systems place youth in solitary confinement, and youth experiencing homelessness are more likely to become victims of human trafficking; both of these experiences can cause lasting trauma that can be exacerbated by later justice involvement or homelessness.<sup>LIII</sup>

Additionally, while girls may be uniquely impacted by trauma, juvenile justice systems have not traditionally focused on meeting their needs in gender responsive ways.<sup>LIV</sup> As the proportion of girls in the juvenile justice system has grown, however, more attention has been paid to their pathways to and experiences with justice-involvement, and some resources and programming have been developed for girls and jurisdictions that wish to improve their practice (see below).

**Applying this Principle to 18- to 24-year-olds:** Traumatic experiences (e.g., trafficking, family violence, child physical or sexual abuse, emotional neglect) that happen when an individual was a child can continue to have an impact well into adulthood, particularly if appropriate services aren't received. Providing gender-responsive services is also just as important at age 19 as age 15 or age 12, particularly given the differences in how different genders experience and react to trauma.

**Training:** Training on trauma and gender-responsiveness should be offered to professionals working directly and repeatedly with youth (street outreach workers, case managers, probation officers, attorneys), and key decisionmakers or justice system points of contact (law enforcement, judges and other decisionmakers), as well as family members and other supportive adults (e.g., mentors). Leadership in each profession must also ensure that these trainings are used in practice. A survey of juvenile probation officers conducted by the National Child Traumatic Stress Network found that “56% of respondents indicated awareness of trauma-specific interventions, but when asked to list interventions, only one-third of respondents listed common trauma-specific interventions, such as Trauma-Focused Cognitive Behavioral Therapy.”<sup>LVII</sup> More than 70% of survey respondents also said that they referred youth for treatment based on disclosure of traumatic events or trauma symptoms, rather than screening results.<sup>LVIII</sup> Training on trauma and gender-responsiveness should be targeted to the age of the youth, since gender differences and trauma symptoms may vary with age.

**Assessments and interventions:** Youth should receive evidence-based assessments and interventions. Both should be validated and appropriate for the young person receiving them.

**Housing and homelessness service policies and practices:** Trainings, workgroups, and initiatives focused on system reform should also look at how accessing housing and homelessness services is impacted by both gender and trauma. As stated in National Crittenton's *Gender Injustice* report, “housing and child welfare policies that result in residential instability negatively impact girls' abilities to maintain consistent social, educational, and health supports and are closely connected to girls' risk of involvement with the juvenile justice system.”<sup>LIX</sup>

**Community-based care:** Training and system improvements focused on trauma should address protective factors such as healthy relationships with trusted adults and the dangers of taking youth out of their communities in general,

### Resource Spotlight

When girls' responses to trauma are criminalized, it has impacts that continue throughout their lives, well beyond the age of 18. Supports and services must be provided so that they can continue to heal during the critical years of young adulthood, when they may no longer be eligible for “youth” services. *Gender Injustice: System-Level Juvenile Justice Reforms for Girls*, from National Crittenton and National Women's Law Center includes additional information and suggestions relevant to the recommendations shared here, including:

- an overview of historical and recent trends regarding girls and the juvenile justice system, including common pathways;
- discussion of potential “feeder systems” including child welfare, education and health;
- the role of trauma and inequity in girls' juvenile justice experience;
- information and recommendations regarding pregnant and parenting girls and young women; and
- system improvement recommendations specific to community programs, schools, health, courts and justice facilities, probation and legal reform.

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and of incarceration specifically. Programming offered in communities should also be trauma-informed and gender responsive.

*Secure confinement:* Youth involved in the juvenile justice system should receive non-secure community-based care whenever possible. For youth who are incarcerated, juvenile facilities should put strict policies and practices into place to protect youth from sexual or physical victimization while in custody. They should also avoid practices like shackling and solitary confinement, which can exacerbate the effects of past trauma and should provide mental health services to help youth address trauma. Systems and decisionmakers should also help youth avoid transfers, particularly to adult facilities, whenever possible. (For information specific to youth isolation, see the Stop Solitary Campaign for Kids website at <http://www.stopsolitaryforkids.org/>.)

*Law enforcement:* Law enforcement officers must be held accountable for treating vulnerable youth with respect rather than using power differentials to victimize youth. (The International Association of Chiefs of Police has produced numerous resources that can support these efforts.)<sup>LX</sup>

“The problem of sexual misconduct by officers warrants the full attention of law enforcement leadership. It represents a grave abuse of authority and a violation of the civil rights of those victimized. Law enforcement agencies and executives have a duty to prevent sexual victimization, to ensure it is not perpetrated by their officers, and to take every step possible to ensure the safety and dignity of everyone in the community.”

— *International Association of Chiefs of Police, “Addressing Sexual Offenses and Misconduct by Law Enforcement: Executive Guide”*

*Young parents and pregnant and parenting youth:* All services offered to young or expectant parents should meet their specific needs and circumstances (e.g., provide child care, assistance with relevant issues such as co-parenting). For young parents experiencing or at risk for homelessness, professionals should ensure they are aware of any resources available through the jurisdiction’s family homelessness system, since those offerings are often more robust (due to being better resourced) than youth homelessness. Special efforts should also be made to ensure that homelessness services are meeting the needs of parenting young people. For example, a young person may need to spend longer in a transitional or supportive housing because they are balancing work and/or school with also caring for their child. Young parents should receive assistance securing public benefits specific to their situation, and advocates should work to ensure their state’s implementation of federal benefits programs is serving young adults, particularly young adult parents, as broadly as possible.<sup>LXI</sup>

*Cross-sector initiatives:* Inter-agency workgroups and committees are essential to improving outcomes for youth experiencing homelessness and juvenile justice involvement because numerous systems may be serving the same youth before or throughout these experiences. It is important that these initiatives are trauma- and gender-responsive. Similarly, trauma- or gender-focused groups must include homelessness service providers and juvenile justice agencies in their work. In Santa Clara California, for example, the County Gender Responsiveness Task Force includes representatives from the courts, probation, the district attorney’s office, the public defender, behavioral health and community based agencies, including a youth homeless services provider.<sup>LXII</sup> The group’s goal is to “to create a comprehensive case plan and treatment model for moderate and high-risk girls on probation in Santa Clara County that decreases their risk of recidivism and victimization while also increasing their life outcomes.”<sup>LXIII</sup>

For more information on juvenile justice and trauma see the National Child Traumatic Stress Network's resource page at <http://www.nctsn.org/resources/topics/juvenile-justice-system> and National Center on Mental Health and Juvenile Justice at <https://www.ncmhjj.com/topics/trauma/>.

### Principle 10: Undertake and fund research to help better understand the issue of youth homelessness and identify solutions.

New research has given us a clearer picture of just how many youth experience homelessness, and how many of those youth have also been involved with justice systems.<sup>LXIV</sup> Researchers, policymakers, and practitioners should all help disseminate research on youth homelessness and juvenile justice system trends (e.g., worsening racial and ethnic disparities). They should also conduct research, or support finding answers to new and unanswered questions about the pathways between juvenile justice involvement and homelessness and how to disrupt those pathways. Particular attention should be paid to the disparities experienced by youth of color and LGBTQ youth, and how to ensure services and prevention efforts reach all youth effectively. This includes disaggregating research findings on youth homelessness and juvenile justice by race and gender so that we can better understand youth's experiences.

**Applying this Principle to 18- to 24-year-olds:** Juvenile justice and homelessness systems should undertake research to determine how many youth aged 18-24 they are serving, and what the unique characteristics and needs of youth in that age group are. This could include determining, across the youth population served:

- How many 18- to 24-year-olds are in the system or experiencing homelessness in the community? What are their ages? Race and ethnicities? Gender? What percentage are LGBTQ/GNC?
- How long have youth been involved in the juvenile justice system or homeless? Did they have previous justice involvement or experiences of homelessness?
- What are young people's current situations (e.g., incarcerated in secure setting, residential non-secure, probation or unsheltered homeless, in an emergency shelter, in a transitional living program)?
- What charge(s) led to justice involvement or what circumstances led to homelessness?
- What are youths' outcomes after exiting the system or receiving services?

#### Identifying homelessness among youth

The National Youth in Custody Survey,<sup>LXV</sup> administered across the country, asks several questions related to housing status of youth, including:

"Who was responsible for taking care of you when you were growing up?"

"At the time you were first taken into custody for the crime(s) that led to your stay here who were you living with?"

"At the time you were first taken into custody for the crime that led to your stay here were you homeless, living in a shelter, or other temporary housing?"

These questions will undoubtedly provide helpful additional information about the housing-related experiences of young people involved with the juvenile justice system. Given the possibility that many young people may not want to identify themselves as having experienced homelessness, however, jurisdictions may also want to consider asking broader questions (e.g., did you have a key to the place you were staying?). Often simply asking a youth where they were living before being taken into custody is the best route. For additional questions that can help shed light on the safety and stability of a young person's housing, see the National Center for Homeless Education guide, *Determining Eligibility for Rights and Services Under the McKinney-Vento Act*: ([https://nche.ed.gov/downloads/briefs/det\\_elig.pdf](https://nche.ed.gov/downloads/briefs/det_elig.pdf)).

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Potential sources of data on these issues include the Census of Juveniles in Residential Placement (<https://www.ojjdp.gov/ojstatbb/ezacjrp/>) state or juvenile corrections agencies' annual reports, and university-based research.

Systems that are serving young adults also need to ensure that they are familiar with the research that exists specific to that age group and are offering evidence-supported services and programming.

## CONCLUSION

Across the country youth-serving systems are changing the way they do business based on new research, promising practices, and the lived expertise of young people who've experienced homelessness and/or juvenile justice system involvement. As these systems work to achieve better outcomes for youth, local interagency collaboration, supported by the guidance in this document, can help ensure that improvements in policy and practice reduce juvenile justice involvement and homelessness and also decrease the likelihood that having one of these experiences will lead to the other.

## APPENDIX A

### Glossary

**Culturally appropriate:** The extent to which a policy, program, service or other strategy is respectful of and compatible with the cultural strengths and needs of any given youth, family and community. Finding a way to communicate effectively that also respects and accepts cultural differences. [Coalition for Juvenile Justice, [http://www.juvjustice.org/our-work/safety-opportunity-and-success-project/national-standards/improving-responses-youth-charg-4#\\_ftn21](http://www.juvjustice.org/our-work/safety-opportunity-and-success-project/national-standards/improving-responses-youth-charg-4#_ftn21), Last accessed on June 8, 2018; The former Australian Department of Families, Housing, Community Services and Indigenous Affairs, [http://resources.fahcsia.gov.au/consumertrainingsupportproducts/docs/external/cultural\\_communication.pdf](http://resources.fahcsia.gov.au/consumertrainingsupportproducts/docs/external/cultural_communication.pdf), Last accessed on June 8, 2018]

**GNC:** An inclusive acronym that refers to children and youth who identify as gender non-conforming.

**Gender-responsive:** The intentional creation and implementation of policies, programs, practices, services and other strategies that comprehensively reflect and address the needs of a targeted gender group. Gender-responsive approaches (1) incorporate the differences between male and female development; (2) acknowledge the different pathways boys and girls take into the child welfare, status offense and juvenile justice systems; and (3) take a gender-specific and strengths-based approach to prevention and intervention. To the extent gender-specific programming is offered, youth should participate according to their gender-identity rather than their biological gender, if they are not the same. [Coalition for Juvenile Justice, [http://www.juvjustice.org/our-work/safety-opportunity-and-success-project/national-standards/improving-responses-youth-charg-4#\\_ftn21](http://www.juvjustice.org/our-work/safety-opportunity-and-success-project/national-standards/improving-responses-youth-charg-4#_ftn21), Last accessed on June 8, 2018]

**Homeless:** See Appendix C.

**HUD Continuum of Care:** The US Department of Housing and Urban Development (HUD), describes a Continuum of Care (CoC) as “a community plan to organize and deliver housing and services to meet the specific needs of people who are homeless as they move to stable housing and maximize self-sufficiency. It includes action steps to end homelessness and prevent a return to homelessness.” [National Alliance to End Homelessness, <https://endhomelessness.org/resource/what-is-a-continuum-of-care/>, Last accessed on June 8, 2018]

**Permanent Supportive Housing:** Supportive housing is an evidence-based housing intervention that combines non-time-limited affordable housing assistance with wrap-around supportive services for people experiencing homelessness, as well as other people with disabilities. [United States Interagency Council on Homelessness, <https://www.usich.gov/solutions/housing/supportive-housing>, Last accessed on June 8, 2018]

**Prosocial:** Relating to or denoting behavior which is positive, helpful, and intended to promote social acceptance and friendship. [Oxford University Press, <https://en.oxforddictionaries.com/definition/prosocial>, Last accessed on June 8, 2018]

**Rapid Rehousing:** An approach that focuses on moving individuals and families who are experiencing homelessness into appropriate housing as quickly as possible by providing the type, amount and duration of housing assistance needed to stabilize the household. Rapid re-housing is replacing the former approach of “housing ready.” [National Alliance to End Homelessness, <http://endhomelessness.org/wp-content/uploads/2017/04/25.-07-2015-Revised-North-Florida-Continuum-of-Care-for-Intake-and-Assessment.pdf>, Last accessed on June 8, 2018]



**Transitional Living Programs:** Transitional Living Programs aim to provide a safety net and strong emotional support system for young people to transition into self-sufficiency. Programs provide long-term residential services to youth experiencing homelessness who are between the ages 16 and 22. [Family & Youth Services Bureau, <https://www.rhyttac.net/fysb-rhy-program>, Last accessed on June 8, 2018]

**Trauma-informed Response:** Ensure that past trauma and other experiences, which may underlie or lead to youth behaviors, are identified and responded to with appropriate screening, assessment, treatment, services and supports. Professionals working with youth must understand how past trauma affects their system involvement and futures. [Coalition for Juvenile Justice, <http://juvjustice.org/our-work/safety-opportunity-and-success-project/national-standards/section-i-principles-responding-8>, Last accessed on June 8, 2018]

## APPENDIX B



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CHARLES D. BAKER  
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Commissioner

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### ***Youth Engaged in Services [YES]: Voluntary Post-Discharge Services for DYS Committed Youth***

The Massachusetts Department of Youth Services (DYS) offers voluntary, post-discharge services to all youth committed as delinquents and as youthful offenders until the age of 22. This voluntary agreement is referred to as Youth Engaged in Services (YES). It is the expectation that all youth approaching the age of mandatory discharge from DYS will be offered YES as part of the discharge planning process. Youth who opt out of a YES agreement upon discharge have a 90-day window in which they can request a return to DYS for YES services.

Engagement in a Youth Engaged in Services (YES) agreement allows youth to continue to access and/or initiate involvement in individualized services such as education, employment, career readiness training, housing and behavioral health services all while receiving continued support from their DYS caseworker and other members of the case management team.

Upon agreeing to YES, youth work with their caseworker to articulate the goals they wish to achieve while on YES status and the services they would like to engage in to meet those goals. Youth enter into a YES agreement for an initial three month period. The youth's YES status and progress toward stated goals is reviewed for a renewal of the agreement after the initial three (3) month period and every three (3) months thereafter. The youth or the Department may terminate the agreement at any time. Termination shall be considered only after substantial attempts have been made to address any identified issues.

DYS' dedication to continuing to work with youth beyond their commitment period reflects the agency's appreciation of recent research in the area of adolescent brain development indicating that the adolescent brain is not fully developed until as late as 24 years of age. Recognizing, then, that eighteen or twenty-one years of age is an arbitrary point at which to deem a young person a fully developed adult – particularly true for those involved in the juvenile justice system who are confronted with complex challenges and a myriad of risk factors - DYS is committed to continuing to work with youth the term of their DYS commitment as they make the transition to adulthood and self-sufficiency.

Additionally impacting the agency's commitment to continuing to work with youth post-discharge is the indication that the highest risk period for recidivism for youth formerly involved in the juvenile justice system is the first six months post-discharge. The Department hopes that by maintaining engagement with youth during

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this high risk period the number of youth who recidivate and become involved with the adult criminal justice system will decrease all while increasing positive outcomes for youth.

In FY16, almost half of all youth discharging from the Department of Youth Services opted to engage in a voluntary, YES agreement. During all of FY16, there were 326 youth served on YES status. Statewide, the average duration of a YES engagement is just in excess of six months. As previously mentioned, the initial six-month period post-discharge is viewed as the highest risk period for recidivism among those exiting the juvenile justice system. The Department of Youth Services is now positioned to analyze the outcomes of a cohort of youth who have remained voluntarily engaged with the department for six months post-discharge. Preliminary data indicates that when compared with a like group of youth who did not opt into YES services (control group), YES youth were less likely (with statistical significance) to be arrested within the initial 6 months following DYS discharge.

[Reprinted with permission.]

## APPENDIX C

### Defining the Issue: What is Youth Homelessness?

*(Reprinted from Addressing the Intersections of Juvenile Justice Involvement and Youth Homelessness: Principles for Change)*

Definitions of youth homelessness—and eligibility for services—may vary from program to program and state to state. We suggest using the broadest possible definition in enacting the recommendations presented in this document to aid the greatest number of youth and to include populations or circumstances that may be particularly common among youth with juvenile justice involvement.

One example of a broadly inclusive definition is found in the McKinney-Vento Homeless Assistance Act (42 USC 11434A(2)) for education-related services. It says that youth are considered homeless if they “[lack] a fixed, regular, and adequate nighttime residence,” including sharing the housing of other persons due to loss of housing, economic hardship, or similar reasons; living in motels, hotels, trailer parks, or campgrounds due to lack of alternative accommodations; living in emergency or transitional shelters; and living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar places. Another widely inclusive definition, from the National Network for Youth, states that “a ‘homeless youth’ is an individual who is 12-24 years of age, who is living on their own, without a parent or guardian, and is without a safe, stable living arrangement.”

Note that in some programs or publications, situations described throughout this document might be termed “housing instability.” This document uses an intentionally broad definition. For the purposes of this resource, any living situation that is not safe, stable, or otherwise expected to be long-term is considered to be homelessness. Additionally, although some programs or policies may focus on “runaway” youth, many young people labeled as “runaways” have actually been thrown out of their homes or are trying to escape unsafe situations. These particular youth are also referred to as “thrown away.”

Throughout this document safe housing denotes an environment where a young person does not have a reasonable fear of physical, sexual, or emotional abuse, and where basic living needs are met (e.g., home keeps out rain and wind, and has running water, electricity, and heat). Stable housing refers to a place where a young person reasonably expects to have continuous access to housing for a set period of time.

For explanations of other terms related to youth homelessness, see National Network for Youth’s website at [www.nn4youth.org/learn/definitions/](http://www.nn4youth.org/learn/definitions/).

## APPENDIX D

### Transition Planning

*(Reprinted from Key Elements of Transition Planning to Prevent Youth Homelessness)*

Almost half of all youth experiencing homelessness have been incarcerated in the juvenile or criminal justice system. Many intersecting factors are likely involved in this trajectory, including housing and employment discrimination against individuals with records, the impacts of trauma, and the educational and social disruptions that occur when youth are removed from their homes and communities. Juvenile justice systems should avoid secure placements for youth whenever possible, and should take affirmative steps to provide transition-related services to youth in their care. This includes early and comprehensive transition planning and services that allow each young person to leave the system prepared to become a successful and self-sufficient adult. Transition planning should address the issues below, and should be undertaken in partnership with youth and their families and available while youth are in residential placements and on probation.

*Housing:* Transition planning should address where young people will live after they exit justice system custody, but should also involve working with the young person to identify and strengthen backup options and supports in case their planned living arrangements do not work out. Justice systems also need to partner with other community agencies to ensure that there are adequate temporary and long-term housing resources available in the community.

- **Resource:** Texas Juvenile Justice Department's Treatment Effectiveness Report also includes a Re-Entry and Re-Integration report detailing its work in those areas, as mandated by a 2009 state law. In addition to transition planning and services, the report includes several housing-specific items. For example, the agency is “exploring a long-term, multi-agency initiative with community partnerships to develop tiny house options...to provide affordable housing to homeless youth between the ages of eighteen and twenty-four.” Access the full report at <https://www.tjjd.texas.gov/publications/reports/TER2017.pdf>.

*Access to vital documents:* Every young person exiting a juvenile justice facility or on probation should have their birth certificate and a state-issued identification document. (This document should not indicate that it was issued by a corrections agency, as this could impede employment and housing prospects.)

- **Resource:** The Legal Action Center has compiled information on “what obstacles exist in each state for people newly released from prison to obtain proper identification” as well as some promising practices from Minnesota, Oregon and California at <https://lac.org/toolkits/ID/ID.htm#summary>.
- **Resource:** California law provides that homeless children and youth are entitled to free certified birth certificates.<sup>LXVI</sup> (The law also allows homeless status to be verified by a homeless services provider.)

*Education support:* Youth who have not completed high school have a 346% higher risk of experiencing homelessness.<sup>LXVII</sup> All youth need to earn credits that will allow them to “keep up” while incarcerated and also should be assisted with re-engaging in school after disruption. For youth who are or will be 18 or older when they leave the juvenile justice system, professionals should also help with navigating state and federal entitlements to a high school education past age 18 (e.g., through the Individuals with Disabilities Education Act (IDEA)), and accessing college-level coursework. This includes classes available while in custody as well as assistance applying for higher education admission and financial aid, as well as accessing programs and services that can offer additional support while in college.

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- **Resource:** SchoolHouse Connection ([www.schoolhouseconnection.org](http://www.schoolhouseconnection.org)) provides information as well as technical assistance on educational protections and best practices for youth experiencing homelessness.

*Employment-related planning and services:* Many resources are available to help youth develop needed skills and connect to employment, including services supported by the Workforce Innovation and Opportunity Act (WIOA). Juvenile justice systems should collaborate with local workforce agencies to bring programming in to residential facilities and to ensure that youth in non-residential care can connect to them. Youth should learn both hard and soft skills (writing a resume, interviewing, time management, professionalism). Youth should be connected to national and community-based providers that offer job readiness services, work experience and other programming to all young people (e.g., AmeriCorps, Job Corps), and juvenile justice stakeholders should work with those programs to ensure that justice involvement is not a barrier to participation.

- **Resource:** Youth Advocate Programs and the National Youth Employment Coalition published a useful guide titled *New Funds For Work: Connecting Systems For Justice-involved Young People*, available at <http://www.yapinc.org/Portals/0/Documents/Fact%20Sheets/Connecting%20Systems.pdf>.

*Life skills and healthy relationships education:* Youth who are incarcerated may have very different daily lives than their non-incarcerated peers, and may exit justice system custody without the same social or everyday life skills that other youth have as they transition to adulthood. One formerly incarcerated young adult described this experience as being “frozen in time” and re-entering society feeling, in some ways, like the teenager she was when she entered state custody instead of the twenty-something she was when she exited. As stated above, young people should receive rehabilitative services in their own homes and communities whenever possible; when youth must be in residential settings, these placements should be as “real-world” as possible:

- Youth should have opportunities to learn basic life skills such as how to cook meals for themselves, and how to manage personal finances, and exposure to different subjects so they can identify interests that could help put them on a career path.
- Young people should be given ample opportunities for in person and other contact with family and other supportive individuals.
- Given that many youth in the juvenile justice system may have experienced family conflict, abuse or neglect, homelessness, or long-term institutional care, youth may also need support and services related to forming healthy relationships, dealing with trauma and anxiety, and other issues.

*Mentoring:* Youth who have been involved in the juvenile justice system should be connected to mentors while in residential care or as soon as they are on probation/parole. Youth may benefit most from having mentors who are like them, e.g., similar past experiences, same race or ethnicity, adults in their late twenties or early thirties. Ideally, youth should have mentors who meet with them regularly but are also available to them any time they experience a crisis or find themselves facing a time-sensitive and difficult decision or situation. Youth mentors with lived experiences should be in a stable and healthy place in their own lives, to ensure that mentoring relationships can be mutually beneficial and not trigger any unresolved trauma for the mentor, or be disrupted in ways that could harm the mentee.

### **Resources:**

- Preparing Leaders of Tomorrow (<http://www.plotforyouth.org>), a mentoring program for youth aged 9 to 21 in Brooklyn, New York, serves many young people who were involved in the juvenile

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or criminal justice system. Their program includes mentors from the same communities and with similar life experiences to their mentees.

- The Credible Messenger Justice Center ([cmjcenter.org](http://cmjcenter.org)) has identified several other mentoring programs that use Credible Messengers (described as “mentors who have passed through the justice system and sustainably transformed their lives”), including:
  - ARCHES Transformative Mentoring, which serves youth aged 16-24 on probation and has been shown to reduce recidivism.
  - AIM: Advocate Intervene Mentor, which serves youth aged 13-18 who are in danger of violating probation. AIM provides each young person an advocate who is available 24 hours a day, 7 days a week, and is working with no more than 3 other young people at the same time.
  - Next STEPS (Striving Toward Engagement and Peaceful Solutions), a group mentoring program for youth aged 16-24 focused on specific public housing developments and surrounding areas.
  - Credible Messenger mentoring is also offered in Washington, D.C. through the Department of Youth Rehabilitation Services (<https://dysr.dc.gov/page/credible-messenger-initiative>) and in California through Project Kinship (<https://www.projectkinship.org/>) and other agencies.

*Physical and mental health care and services:* Transition planning for young people in the juvenile justice system should emphasize services and coverage for any ongoing behavioral and physical health issues, as well as preventative care. Unaddressed health issues can interfere with a young person’s transition back into their community, as well as their ability to maintain employment (and therefore housing). Young people who have been in juvenile justice system custody for a long time, or even a shorter period that included their 18th birthday, may have different needs (e.g., may need to transition from a pediatrician to an adolescent or general practitioner, may need to re-enroll in Medicaid or to obtain their own health insurance if they are no longer eligible to be covered under a parent’s plan.) Juvenile justice agencies should partner with local public health departments and other relevant agencies to support transitioning youth (as well as all youth under supervision or in custody). These groups are often eager to connect with difficult-to-reach uninsured populations.

**Resource:** Savannah’s *Campaign for Healthy Kids* included city employees working with juvenile courts and probation staff to enroll youth (particularly those receiving behavioral health services as part of their court involvement) in health care coverage.<sup>LXVIII</sup>

*Assistance with clearing/expunging juvenile records:* As part of their transition planning, youth should be educated on what records can be cleared or expunged and when, and should be connected to local groups who can help (if not already included in case management services). Youth should also receive counseling on what they do and do not need to share about their records on a job or housing application (e.g., the difference between a criminal conviction and a juvenile adjudication). Juvenile defender offices, civil legal aid providers or pro bono legal clinics can help both with general education on these issues and with assisting individual young people.

### Resources:

- The Clean Slate Clearinghouse (<https://cleanslateclearinghouse.org/>) provides information on clearing and expunging juvenile and criminal records for all U.S. states and territories.
- Additional resources are available through local bar associations, or the National Juvenile Defender Center (<http://njdc.info/>).

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*Legal assistance:* Beyond records, youth may need assistance with addressing new or pending delinquency or criminal charges, collateral consequences of justice involvement, appealing or challenging benefits or housing denials, and many other issues. Young people should be encouraged to review their own records (e.g., arrest report, credit history) and work with an attorney to fix any inaccuracies. Also young people aged at least 18 (and minors in some cases) are entitled to direct their own representation, and to select their own attorney (except in the case of court appointments).

**Resource:** The Homeless Youth Legal Network has information on common legal needs of youth experiencing homelessness and a directory of legal services and pro bono attorneys, available at [www.ambar.org/hyln](http://www.ambar.org/hyln).<sup>LXIX</sup>

*Family and other relationships:* While youth are in juvenile justice placements, they should be supported in maintaining and strengthening healthy relationships. Youth should have ample contact and visitation not just with parents, but with other relatives, significant others, and anyone the youth considers to be family. Healthy and supportive relationships can sustain young people after they leave the juvenile justice system (but must be desired by youth; agencies should not assume a young person wants to have a relationship with every person they are biologically related to, wants a mentor, etc.).

*Youth adjudicated for sex offenses:* Youth who have been adjudicated for sex offenses and may be required to register as sex offenders will face even greater challenges accessing housing and employment and may be more vulnerable to homelessness. As a result, more intensive transition planning, as early as possible, is essential-- particularly for youth who cannot return to their parents' homes

### San Francisco Juvenile Reentry Court

San Francisco's Juvenile Reentry Court includes a cross-disciplinary collaborative team that works closely with youth and their families to develop and carry out a case plan for successful transitions back into the community.<sup>LXX</sup> The planning process begins at disposition and each court participant has a complete plan three months prior to leaving their residential placement, which "may include housing, vocational training, education, therapy, drug treatment, and any other services" that the young person may need to be successful.<sup>LXXI</sup>

<sup>I</sup>Morton, M.H., Dworsky, A., & Samuels, G.M. "Missed opportunities: Youth homelessness in America. National estimates." (2017). Available at [http://voicesofyouthcount.org/wp-content/uploads/2017/11/ChapinHall\\_VoYC\\_NationalReport\\_Final.pdf](http://voicesofyouthcount.org/wp-content/uploads/2017/11/ChapinHall_VoYC_NationalReport_Final.pdf).

<sup>II</sup>Ibid.

<sup>III</sup>Note that throughout this document different terms are used related to race/ethnicity (e.g., Black, African-American, Hispanic, Latino) based on the terms used in the research being cited.

<sup>IV</sup>Morton, M.H., Dworsky, A., & Samuels, G.M. supra note 1.

<sup>V</sup>Ibid.

<sup>VI</sup>Sickmund, M., Sladky, T.J., Kang, W., & Puzanchera, C. (2017). "Easy Access to the Census of Juveniles in Residential Placement." Available at <http://www.ojjdp.gov/ojstatbb/ezacjrp/>.

<sup>VII</sup>Thomas, J.M. (2017). Raising the Bar: State Trends in Keeping Youth Out of Adult Courts (2015-2017), Available at [http://campaignforyouthjustice.org/images/StateTrends\\_Report\\_FINAL.pdf](http://campaignforyouthjustice.org/images/StateTrends_Report_FINAL.pdf).

<sup>VIII</sup>While there is consensus that young adults are different from older adults and need targeted approaches, new systems and facilities may not be the best way to achieve this. In a roundtable held by the Justice Policy Institute (JPI), "most of the people JPI convened [rejected] the idea that a 'third system' is needed to serve young adults; stakeholders agreed that a community approach that takes the best features of the juvenile justice system and applies them to 18 to 24-year-olds makes more sense." Justice Policy Institute. "Improving Approaches to Serving Young Adults in the Justice System." (December 2016).

<sup>IX</sup>Vincent Schiraldi and Bruce Western "Time to Rethink the Age of Adult Court Jurisdiction." Available <http://centerforjustice.columbia.edu/files/2015/11/Time-to-Rethink-the-Age-of-Adult-Court-Jurisdiction.pdf>.



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- <sup>x</sup>Thomas, J.M. (2017). Raising the Bar: State Trends in Keeping Youth Out of Adult Courts (2015-2017). Also see Illinois HB 4581 and Connecticut HB 5040.
- <sup>xi</sup>Lael Chester and Vincent Schiraldi. (2016). "Public Safety and Emerging Adults in Connecticut: Providing Effective and Developmentally Appropriate Responses for Youth Under Age 21." Available at [https://www.hks.harvard.edu/sites/default/files/centers/wiener/programs/pcj/files/public\\_safety\\_and\\_emerging\\_adults\\_in\\_connecticut.pdf](https://www.hks.harvard.edu/sites/default/files/centers/wiener/programs/pcj/files/public_safety_and_emerging_adults_in_connecticut.pdf).
- <sup>xii</sup>Ibid. See also Christian M. Wade/Daily News, "Lawmakers weigh again raising age for juvenile courts." (Nov 10, 2017) available at [http://www.newburyportnews.com/news/lawmakers-weigh-again-raising-age-for-juvenile-courts/article\\_09a4c02e-6498-5f37-af5f-34d8aebc983d.html](http://www.newburyportnews.com/news/lawmakers-weigh-again-raising-age-for-juvenile-courts/article_09a4c02e-6498-5f37-af5f-34d8aebc983d.html).
- <sup>xiii</sup>Office of Juvenile Justice and Delinquency Prevention, "Statistical Briefing Book: Upper and lower age of juvenile court delinquency and status offense jurisdiction, 2016." Available at [https://www.ojjdp.gov/ojstatbb/structure\\_process/qa04102.asp?qaDate=2016&text=no&maplink=link2](https://www.ojjdp.gov/ojstatbb/structure_process/qa04102.asp?qaDate=2016&text=no&maplink=link2). Also see Also see Angel Zang/JJGPS. U.S. Age Boundaries of Delinquency 2016. Available at [http://www.ncji.org/pdf/JJGPS%20StateScan/JJGPS\\_U.S.\\_age\\_boundaries\\_of\\_delinquency\\_2016.pdf](http://www.ncji.org/pdf/JJGPS%20StateScan/JJGPS_U.S._age_boundaries_of_delinquency_2016.pdf).
- <sup>xiv</sup>Three states held jurisdiction for the "full term of disposition order." Office of Juvenile Justice and Delinquency Prevention, "Statistical Briefing Book: Extended age of juvenile court jurisdiction, 2016." Available at [https://www.ojjdp.gov/ojstatbb/structure\\_process/qa04106.asp?qaDate=2016](https://www.ojjdp.gov/ojstatbb/structure_process/qa04106.asp?qaDate=2016).
- <sup>xv</sup>This does not include youth under age 18 who have been excluded from juvenile jurisdiction and are under the control of the adult criminal justice system.
- <sup>xvi</sup>National Institute of Justice/Connie Hayek. "Environmental Scan of Developmentally Appropriate Criminal Justice Responses to Justice-Involved Young Adults (June 2016) available at <https://www.ncjrs.gov/pdffiles1/nij/249902.pdf>.
- <sup>xvii</sup>Mary Crowley/Vera Institute of Justice, "How Connecticut Reimagines Prison for Young Men." (March 2017) <https://www.vera.org/blog/dispatches-from-t-r-u-e/how-connecticut-reimagines-prison-for-young-men>.
- <sup>xviii</sup>See, e.g., Siegel, Gene, and Halemba, Gregg/National Center for Juvenile Justice. "Promising practices in the Diversion of Juvenile Domestic Violence Cases." (2015). Available at <http://www.ncjj.org/pdf/Gene%20Gregg%20report/PromisingPracticesJuvenileDVdiversion2015.pdf>.
- <sup>xix</sup>See Vincent Schiraldi and Bruce Western supra fn 9.
- <sup>xx</sup>"Young Adult Court" (website) <http://www.sfsuperiorcourt.org/divisions/collaborative/yac>.
- <sup>xxi</sup>Jennifer Henderson-Frakes, Sengsouvanh (Sukey) Leshnick, & Hannah Diaz. "An Evaluation of San Francisco's Young Adult Court (YAC) Findings on Planning and Early Implementation." (May 2017) Available at [http://www.sfsuperiorcourt.org/sites/default/files/images/YAC%20Interim%20Report\\_05252017.pdf](http://www.sfsuperiorcourt.org/sites/default/files/images/YAC%20Interim%20Report_05252017.pdf).
- <sup>xxii</sup>Ibid.
- <sup>xxiii</sup>Ibid.
- <sup>xxiv</sup>California Welfare and Institutions Code Div. 2, Part 1, Chapter 2, Article 12 (391). Available at [http://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=WIC&sectionNum=391](http://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=WIC&sectionNum=391). Also see Mark E. Courtney, Jennifer E. Mosley/Chapin Hall. "Partnership and the Politics of Care: Advocates' Role in Passing and Implementing California's Law to Extend Foster Care." (2012) Available at <http://www.chapinhall.org/research/report/partnership-and-politics-care-advocates%E2%80%99-role-passing-and-implementing-california%E2%80%99s> and the resources cited therein.
- <sup>xxv</sup>See, e.g., <http://www.fosteryouthhelp.ca.gov/Indep.html>.
- <sup>xxvi</sup>E-mail on file with author.
- <sup>xxvii</sup>Sabrina Forte & Meredith Desautels/Bay Area Legal Aid Youth Justice Project. "How to Leverage Continuum of Care Reform for Placement Instead of Custody An Advocacy Guide for Juvenile Defenders." (September 2017) Available at <https://baylegal.org/wp-content/uploads/2017/10/Advocacy-Guide-Leveraging-CCR-for-Placement-Instead-of-Custody.pdf>.
- <sup>xxviii</sup>Maryland Department of Public Safety and Correctional Services, "2009 Secretary's End-of-Year Update," available at <https://www.dpscs.state.md.us/publicinfo/publications/pdfs/DPSCS-SecretaryReport-2009.pdf>
- <sup>xxix</sup>Montgomery County. "'Jail Based' Re-Entry: One Jail's Perspective." Available at <https://www.montgomerycountymd.gov/cor/resources/files/mccf-la-re-entry.pdf>.
- <sup>xxx</sup>Fran Spielman. Chicago Sun Times. "Chicago's municipal ID card will be called 'CityKey' and cost \$10." (December 2017) Available at <https://chicago.suntimes.com/chicago-politics/chicagos-municipal-id-card-will-be-called-citykey-and-cost-10/>.
- <sup>xxxi</sup>JRI. "Transitional Homes." Available at <https://jri.org/services/acute-care-and-juvenile-justice/juvenile-justice/transitional-homes>
- <sup>xxxii</sup>See, e.g., All Home (Seattle-King County Continuum of Care). "Seattle/King County Continuum of Care Youth Homelessness Demonstration Program Coordinated Community Plan." (2015) Available at [http://allhomekc.org/wp-content/uploads/2015/09/Seattle-KC\\_YHDP\\_Plan\\_FINAL\\_w\\_attachments.pdf](http://allhomekc.org/wp-content/uploads/2015/09/Seattle-KC_YHDP_Plan_FINAL_w_attachments.pdf); San Francisco Department of Homelessness and Supportive Housing, "San Francisco Coordinated Community Plan to Prevent and End Youth Homelessness." (2018) Available at <http://hsh.sfgov.org/wp-content/uploads/2018/01/San-Francisco-Coordinated-Community-Plan-January-2018-Final.pdf>.
- <sup>xxxiii</sup>Morton, M.H., Dworsky, A., & Samuels, G.M. supra note 1.
- <sup>xxxiv</sup>Jacqueline White. "No One Can Thrive Alone: Exploring the Host Home Option" (in CW360). (Spring 2017) Available at [https://www.cascw.org/wp-content/uploads/2017/04/CW360\\_Spring2017\\_WEB508.pdf](https://www.cascw.org/wp-content/uploads/2017/04/CW360_Spring2017_WEB508.pdf).
- <sup>xxxv</sup>Office of Juvenile Justice and Delinquency Prevention. "OJJDP Partners With HUD To Improve Civil Legal Aid for Youth." Available at [https://www.ojjdp.gov/newsletter/248243/sf\\_4.html](https://www.ojjdp.gov/newsletter/248243/sf_4.html).
- <sup>xxxvi</sup>Youth Action Hub. "Study on Young People's Access to Housing Services in Connecticut." (2016) Available at <https://youthactionhub.org/research/study-on-young-peoples-access-to-housing-services-in-ct/> (Finding that "Nearly half of survey respondents who had experienced housing instability reported that a lack of reliable transportation made it difficult to access housing or shelter resources.")
- <sup>xxxvii</sup>Lesbian, Gay, Bisexual, Transgender, Queer (and/or Questioning)/Gender Non-Conforming.
- <sup>xxxviii</sup>Chapin Hall at The University of Chicago "Missed opportunities: Youth homelessness in America" (November 2017). Available at
- <sup>xxxix</sup>Olivet, J. et al. "Supporting Partnerships for Anti-Racist Communities: Phase One Study Findings." (March 2018) Available at <http://center4si.com/wp-content/uploads/2016/08/SPARC-Phase-1-Findings-March-2018.pdf>. Researchers note that there is the possibility of some duplication in this figure due to White Hispanic youth being included.
- <sup>xl</sup>Ibid.
- <sup>xli</sup>The Sentencing Project, "Black Disparities in Youth Incarceration." (October 2017) Available at <http://www.sentencingproject.org/wp-content/uploads/2017/10/Racial-disparities-in-youth-incarceration-fact-sheets.pdf>.
- <sup>xlii</sup>The Sentencing Project, "Native Disparities in Youth Incarceration." (October 2017). Available at <http://www.sentencingproject.org/publications/native-disparities-youth-incarceration/>.
- <sup>xliii</sup>The Sentencing Project, "Latino Disparities in Youth Incarceration." (October 2017) Available at <http://www.sentencingproject.org/publications/latino-disparities-youth-incarceration/>.

- <sup>XLIV</sup>The Sentencing Project, “Native Disparities in Youth Incarceration.” supra note 42.
- <sup>XLV</sup>Puzzanchera, C. and Hockenberry, S. (2017). “National Disproportionate Minority Contact Databook.” Developed by the National Center for Juvenile Justice for the Office of Juvenile Justice and Delinquency Prevention. Online. Available: <http://www.ojjdp.gov/ojstatbb/dmcd/b/>.
- <sup>XLVI</sup>Phillip Atiba Goff, PhD, et. al., “The Essence of Innocence: Consequences of Dehumanizing Black Children,” *Journal of Personality and Social Psychology* (Feb. 2014).
- <sup>XLVII</sup>Epstein R. et al. “Girlhood Interrupted: The Erasure of Black Girls’ Childhood.” Available at <http://www.law.georgetown.edu/academics/centers-institutes/poverty-inequality/upload/girlhood-interrupted.pdf>.
- <sup>XLVIII</sup>Morton, M.H., Dworsky, A., & Samuels, G.M. supra note 1.
- <sup>XLIX</sup>The Sentencing Project, “Latino Disparities in Youth Incarceration.” supra note 43.
- <sup>L</sup>Impact Justice/Angela Irvine and Aisha Canfield. “LGBQ/GNCT Youth in the U.S. Justice System.” Available at <http://impactjustice.org/wp-content/uploads/2016/07/lgbq-gnct-youth-in-the-u-s-justice-system-3.pdf>.
- <sup>LI</sup>Angela Irvine and BreakOUT! Members and Staff. “You Can’t Run From the Police: Developing a Feminist Criminology that Incorporates Black Transgender Women.” *Southwestern Law Review* Volume, 44 (3). 2015 Available at [http://impactjustice.org/wp-content/uploads/2016/07/Irvine.southwestern.law\\_2015.pdf](http://impactjustice.org/wp-content/uploads/2016/07/Irvine.southwestern.law_2015.pdf).
- <sup>LII</sup>Office of Juvenile Justice and Delinquency Prevention. “Youths with Intellectual and Developmental Disabilities in the Juvenile Justice System.” (May 2017). Available at <https://www.ojjdp.gov/mpg/litreviews/Intellectual-Developmental-Disabilities.pdf>. Also see P.M. Sullivan & J.F. Knutson. “The prevalence of disabilities and maltreatment among runaway children.” in *Child Abuse & Neglect* 24(10):1275-88 (November 2000). (Finding that youth who run away from home, particularly those who have also been maltreated, have been shown to have a high prevalence of disabilities.)
- <sup>LIII</sup>American Civil Liberties Union, Alone & Afraid: Children Held in Solitary Confinement and Isolation in Juvenile Detention and Correctional Facilities (2014) Available at <http://www.stopsolitaryforkids.org/wp-content/uploads/2016/04/Alone-and-Afraid-COMLETE-FINAL.pdf>; National Network for Youth. “Responding to Youth Homelessness: A Key Strategy for Preventing Human Trafficking.” (March 2018) Available at <http://www.nn4youth.org/learn/youthhomelessnesshumantrafficking/>.
- <sup>LIV</sup>Francine T. Sherman and Annie Balck/National Crittenton and National Women’s Law Center. “Gender Injustice: System-Level Juvenile Justice Reforms for Girls.” (2015) Available at [www.nationalcrittenton.org/gender-injustice](http://www.nationalcrittenton.org/gender-injustice).
- <sup>LV</sup>Authors also noted that “0.2% identified as transgender, although this gender category is likely underreported due to inconsistent data collection.” Olivet, et. al, supra note 39.
- <sup>LVI</sup>Sarah Hockenberry & Charles Puzzanchera. “Juvenile Court Statistics 2014.” (April 2017) Available at <https://www.ojjdp.gov/ojstatbb/njeda/pdf/jcs2014.pdf>.
- <sup>LVII</sup>Bray, C., et al/National Center for Child Traumatic Stress. “The NCTSN National Juvenile Probation Officer Survey.” (2017). Available at [http://www.nctsn.org/sites/default/files/assets/pdfs/po\\_survey.pdf](http://www.nctsn.org/sites/default/files/assets/pdfs/po_survey.pdf).
- <sup>LVIII</sup>Ibid.
- <sup>LIX</sup>Francine T. Sherman and Annie Balck supra note 54.
- <sup>LX</sup>See, e.g., IACP’s Elimination of Sexual Abuse in Confinement Initiative (<http://www.theiacp.org/Elimination-of-Sexual-Abuse-in-Confinement-Initiative>) and its publication “Addressing Sexual Offenses and Misconduct by Law Enforcement: Executive Guide,” available at [http://www.theiacp.org/Portals/0/Addressing\\_Sexual\\_Offenses\\_and\\_Misconduct\\_by\\_LE.pdf](http://www.theiacp.org/Portals/0/Addressing_Sexual_Offenses_and_Misconduct_by_LE.pdf).
- <sup>LXI</sup>See, e.g., CLASP/Elizabeth Lower-Basch. “Young Adults and TANF: Rethinking Work Activities” (October 2016) Available at <https://www.clasp.org/sites/default/files/public/resources-and-publications/publication-1/Young-Adults-and-TANF.pdf>.
- <sup>LXII</sup>2016 Annual Santa Clara County Juvenile Justice Report, available at [https://www.sccgov.org/sites/probation/Documents/JPD%20Services%20Annual%20Report\\_2016\\_FINAL.pdf](https://www.sccgov.org/sites/probation/Documents/JPD%20Services%20Annual%20Report_2016_FINAL.pdf).
- <sup>LXIII</sup>Ibid.
- <sup>LXIV</sup>See, e.g., Morton, M.H., Dworsky, A., & Samuels, G.M. supra note 1.
- <sup>LXV</sup>Available at [https://www.reginfo.gov/public/do/PRAViewIC?ref\\_nbr=201512-1121-004&icID=224460](https://www.reginfo.gov/public/do/PRAViewIC?ref_nbr=201512-1121-004&icID=224460).
- <sup>LXVI</sup>AB 1733 (2014) available at [https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140AB1733](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1733).
- <sup>LXVII</sup>Morton, M.H., Dworsky, A., & Samuels, G.M. supra note 1.
- <sup>LXVIII</sup>National League of Cities Institute For Youth, Education, and Families. “Cities Promoting Health Care Coverage for Children and Families.” (2017) Available at [http://nlc.org/sites/default/files/2017-06/CEHACF%20MAG\\_FINAL\\_pages.pdf](http://nlc.org/sites/default/files/2017-06/CEHACF%20MAG_FINAL_pages.pdf).
- <sup>LXIX</sup>Note that even with a pro bono or legal services attorney, individuals may still need to pay fees to the state or courts, e.g., for record sealing or to file a case, though fee waivers may be available.
- <sup>LXX</sup>Superior Court of California, County of San Francisco. “San Francisco Collaborative Courts: Juvenile Reentry Court.” (nd) Available at <http://www.sfsuperiorcourt.org/sites/default/files/images/Juvenile%20Reentry%20Court%20fact%20sheet%20MARCH%202014%20FINALFINAL.pdf>. Also see <https://www.strongnation.org/articles/555-local-spotlights>.
- <sup>LXXI</sup>Ibid.

For additional strategies for addressing the intersections between juvenile justice and homelessness, see the *Collaborating for Change* project from the Coalition for Juvenile Justice, in collaboration with the National Network for Youth and the National League of Cities' Institute for Youth, Education, and Families, at <http://juvjustice.org/homelessness>.