

Surveying the Field: Mapping a Path Towards Better Outcomes for Systems-Involved Youth

Summary of AYPF Discussion Group

March 29, 2019

Washington, DC

On March 29, 2019, the American Youth Policy Forum (AYPF) held a discussion group in Washington, DC entitled *Surveying the Field: Mapping a Path Towards Better Outcomes for Systems-Involved Youth*. The discussion group convened government and non-profit leaders to discuss the challenges and new opportunities for states to support youth in the child welfare and juvenile justice system within the [Family First Prevention Services Act](#) (FFPSA) and the reauthorization of the [Juvenile Justice Delinquency and Prevention Act](#) (JJDP). Further, leaders strategically identified and mapped current and brainstormed future resources needed to help promote better outcomes for systems-involved youth.¹

Samaura Stone, Senior Policy Associate at AYPF, provided an overview of AYPF's mission and services. Specifically Samaura discussed the various ways AYPF interacts with federal, state, and local leaders, and highlighted AYPF's [body of work](#) focused on systems-involved youth. She concluded by emphasizing the importance of assessing how both of the aforementioned policies will affect youth in the child welfare and juvenile justice systems.

To set the context for the discussion, Jesse Kannam, a Policy Associate at AYPF, posed the following question to the group: In your opinion, what are the greatest challenges and/or opportunities within FFPSA and JJDP? Leaders raised concerns about the decrease in funding in JJDP, the lack of direction and clarity provided by both laws, the resistance to change from the child welfare and the juvenile justice systems, the impact this institutional shift will have on practitioners leading this work on the ground, and the lack of communication between agencies. There was also a group consensus that if these laws are not implemented with fidelity, it is a missed opportunity to support systems-involved youth. Nonetheless, leaders recognized that FFPSA and JJDP provide an exciting opportunity for state and local leaders to work together to better serve systems-involved youth.

Following this discussion, state leaders from Connecticut, Virginia, and Maryland shared how they were approaching implementation of these laws and the important steps they are taking to strengthen and reform their child welfare and juvenile justice systems.

State Presentation #1: Preparing for the Family First Prevention Services Act: How Connecticut Safely Reduced their use of Congregate Care

Linda Dixon, Ph.D., Administrator, Adolescent, and Children's Services, Connecticut Department of Children and Families, Hartford, Connecticut

Currently, [Connecticut's Department of Children and Families](#) (DCF) serves approximately 35,000 children and 15,000 families. Linda Dixon, an Administrator at Connecticut's DCF, provided some context

¹ Systems-involved youth is a term used for youth who have been involved in either the juvenile justice system or the child welfare system.

about their system transformation over the past decade. Since January 2011, the DCF has focused on expanding community-based services, increasing family support, and decreasing congregate care in an effort to better serve youth. Dixon shared the following outcomes from January 2011 to March 2016:

- The percentage of youth in care decreased from 4,900 to 4,200.
- The percentage of youth in congregate care decreased from 30 percent to 7 percent.
- The percentage of youth in out of state (OOS) placement decreased from 364 to 9 percent.
- The percentage of youth 12 years-old or younger in congregate care decreased from 200 to 10.

The achievement of these outcomes was possible through a myriad of initiatives and bold steps taken by the leadership team. Dixon recognized that all of the aforementioned improvements were a result of strengthening the DCF's relationship with communities and families, and partnering with them. Connecticut's vision for children and families is best captured through their [Strengthening Families Practice Model](#). To better serve families and youth, DCF provided counseling support to over 300 incarcerated fathers who were two to three months from returning home. Additionally, meetings were scheduled with families and youth to better understand their needs, concerns, and challenges. Connecticut developed targeted supports for rural communities and recognized the unique needs of LGBTQ+ families who desired to adopt youth. To maximize resources provided by DCF, families can now access services provided by DCF without involvement in the system. Further, DCF partnered with courts, and sponsored training and conferences for judges with the purpose of building their capacity to better understand the experiences of families and youth.

Dixon proceeded to describe how Connecticut leveraged data and adapted a "racial justice lens" to drive change. She began by emphasizing the importance of evaluating service delivery in a critical way and shared Connecticut's robust data collection. At the end of each quarter, the leadership team critically analyzes outcomes, including the number of youth who were discharged to families during the quarter. This allows DCF to effectively track their progress and make changes as needed. Staff also recognized that the length of the family adoption process can serve as a barrier to many families considering adoption. Thus, internal changes were made to safely reduce the length of the process. In regards to equity, a racial justice lens was adopted to ensure policies, initiatives, and changes are reducing and not exacerbating racial gaps within the child welfare system.

Dixon then discussed the importance of investing in technical support and professional training opportunities for staff. She shared that DCF created on-going training for staff in hopes to "truly shift their mindset long-term." To better serve LGBTQ+ families, staff were also trained on how to best support families who want to adopt youth, no matter their sexual orientation. She admitted there has been high staff turnover rates since incorporating institutional changes in 2011, but recognized it takes commitment and passion to move this work forward. Despite Connecticut's remarkable improvements, some challenges still remain. These challenges include recruiting foster parents who want to serve as mentors to biological families, gaining support from networks and partnerships, and engaging providers in meaningful conversations. Dixon also recognized that legislator buy-in was extremely important in moving the work forward. Lastly, Dixon shared a few next steps, such as continuing to develop incentives for small agencies, providing online training opportunities for families, and continuing to achieve and maintain permanency for youth.

State Presentation #2: Utilizing a Multidisciplinary and Collaborative Approach to Child Welfare Transformation: A Three Branch Model in Virginia

Carl Ayers, Director, Division of Family Services, Virginia Department of Social Services, Richmond, Virginia

Carl Ayers, Director of the Division of Family Services at the [Virginia Department of Social Services \(VDSS\)](#), began with a statement: “In order to effectively implement something as massive as FFPSA, developing a road map is necessary.” He followed with two questions stakeholders should consider when implementing FFPSA: (1) What is the end goal? and (2) What does the community want the child welfare system to be? In the context of Virginia, a group of stakeholders was organized to discuss what the child welfare system in Virginia should look like, and they brainstormed strategies to effectively shift the culture around such system. Ayers explained Virginia has been actively involved in transforming the child welfare system for over a decade and has made substantial changes to the way the system operates.

Virginia’s approach to implementing FFPSA is collaborative. Ayers noted that “This is not a Department of Social Services conversation; this is a community conversation of how we can serve children in their community. You cannot do this work in a silo.” Virginia developed a Core Team of six key leaders, including Ayers and a representative from the [Court Improvement Program \(CIP\)](#), the [Office of Children’s Services, VDSS](#), the state Senate, the state House of Delegates, and a district court. Beyond this Core Team, numerous public and private child and family-serving organizations have participated in implementation planning. To date, this group has had a total of 29 meetings and has invested over 9,000 hours discussing the implementation of FFPSA.

Further, Ayers explained Virginia’s Three Branch model was “designed to bring the three branches of government together to develop an action plan to address the most pressing child welfare issues.” The three-branch team includes a total of 110 people and is a partnership between the [National Governor’s Association \(NGA\)](#), the [National Conference of State Legislatures \(NCSL\)](#), the [Casey Family Program \(CFP\)](#), and the [National Center for State Courts \(NCSC\)](#). To ensure adequate representation, additional local offices were also included. Within the Three-Branch team, “workgroups” were developed. Each workgroup provides recommendations on their particular area of focus and gives the state of Virginia the opportunity to receive ongoing feedback from child welfare stakeholders. These workgroups are the following: (1) Finance; (2) Evidence-Based Services; (3) Prevention Services; and (4) Appropriate Foster Care Placement.

As Virginia strategically prepares to implement FFPSA, stakeholders are having important conversations around keeping youth safe, not just physically, but psychologically and emotionally as well. In the interest of serving youth in their communities, leaders have also begun to consider ways to engage extended family members, but admit it is one of many challenges. Ayers proceeded to share Virginia’s concerns, challenges, and limitations as it relates to the implementation of FFPSA. First, the federal government has not provided a list of reimbursable services under FFPSA, consequently slowing down Virginia’s ability to stand-up FFPSA services by October 1, 2019. From a providers perspective, this is also concerning given it does not give clarity on what services they can anticipate supporting. Second, the Qualified Residential Treatment Program (QRTP) requires all programs to be “accredited by an independent, not-for-profit organization.” This creates a challenge given that out of a total of 141 programs in Virginia, only 31 are accredited, resulting in the loss of reimbursement for almost all prevention services. Equally as challenging, QRTP also requires a “30-day assessment with a qualified individual.” For the purpose of limiting the development of new processes, VDSS has partnered with the [Department of Medical Assistance Services \(DMAS\)](#) to align requirements. Additionally, they are working closely with the [Department of Behavioral Health and Developmental Services \(DBHDS\)](#) and [VDSS](#) to

determine how the new Q RTP requirements affect current licensing regulations. More generally, Ayers emphasized limitations of capacity and funding, lack of clarity, and high staff burnout rates. He also mentioned engaging providers through this process is a constant challenge.

Ayers concluded by highlighting accomplishments from each of the workgroups. Perhaps most notable is the development of Virginia’s continuum of prevention services, which enables Virginia to evaluate evidence-based practices throughout the state. Other notable accomplishments include recommendations and feedback on multiple items such as: budget implications; survey for evidence-based practices in Virginia; and feedback for the development of federal foster home model licensing standards. Moving forward, Ayers admitted Virginia “is still trying to put all of the puzzle pieces together,” and plans to prioritize the following areas: financial cost; fiscal auditing; evidence-based programs; and kinship care.²

State Presentation #3: New Opportunities to Strengthen Racial Equity through the Juvenile Justice Delinquency and Prevention Act in Maryland

Betsy Tolentino, Executive Director, Pre-Adjudication Services and Reform, Maryland Department of Juvenile Services, Baltimore, Maryland

For several years, Maryland has been at the forefront of reducing the disproportionate number of youth of color that come in contact with the [Maryland Department of Juvenile Services](#) (DJS). Betsy Tolentino, Executive Director of Pre-Adjudication Services and Reform, provided meaningful insight into Maryland’s efforts to embed racial equity into their work. Specifically, she focused on two things: (1) racial and ethnic disparities; and (2) youth charged as adults. She began by noting DJS has adopted a developmental approach to juvenile justice reform. Below are the hallmarks of the developmental approach:

- Accountability without criminalization;
- Alternatives to justice system involvement;
- Individualized response based on assessment of needs and risks;
- Confinement only when necessary for public safety;
- A genuine commitment to fairness;
- Sensitivity to disparate treatment; and
- Family engagement.

Tolentino explained all of the DJS’s initiatives are targeted to meet the aforementioned hallmarks. Additionally, policies developed by the DJS take into consideration the unique needs of children and young adults and their developing brains, in an attempt to combat youth over-criminalization. Lisa Garry, the Director of Reform and Equity at Maryland’s DJS, has been a key leader in guiding this work.

For nearly nine years, Maryland’s DJS has developed several initiatives in Prince George’s County and Baltimore City to reduce racial/ethnic disparities within the juvenile justice system. From these efforts, positive outcomes were evident early on as rates of complaints, detention, and out-of-home placement for youth declined. However, when analyzing data closely, stakeholders noticed white youth were benefitting more than youth of color from such initiatives. Thus, reforms alone were not enough. Tolentino explained the DJS stepped away from “finger pointing,” and instead developed an action plan.

² Kinship care is when a child is placed with their own extended family.

Part of the action plan included building internal capacity by offering a two-day intense training on racial/ethnic disparities led by Lisa Garry. Staff were also trained on implementing the Racial Impact Assessment Lens (RIAL), a standardized tool used to ensure the DSJ is not creating unintended disparities through policies and initiatives. To put this into context, Tolentino provided an example of the [home pass policy](#) in Maryland. Part of the policy stated “kids cannot obtain home passes if someone in the household and/or family has a criminal record.” Using RIAL, the DSJ recognized that in Baltimore City, for example, this would have disproportionately impeded youth of color from having access to home-passes. Unintentionally, this policy would have cut Baltimore youth from having the same level of access to home passes than the rest of the state. The DSJ then went back to amend the language in the policy to mitigate unintended consequences.

Pertaining to youth charged as adults, Tolentino shared outcomes of an innovative partnership. During the 2011-12 fiscal year, [Maryland’s Department of Public Safety](#) built a new jail for youth charged as adults. At the same time, Maryland’s DJS was focused on decreasing the number of youth in detention centers and ensuring youth were not spending long periods of time in such spaces waiting for their placements. She explained an existing law allowed youth charged as adults to stay in detention centers until the Court determined where they should be placed (adult system or juvenile system). Leveraging this law and recognizing the poor and unsafe conditions of Baltimore’s facilities, Maryland’s DJS partnered with Baltimore City with the intent of transferring youth from the Baltimore City Detention Center (an adult facility) to a juvenile facility. Given the decline of youth in detention centers, the juvenile facilities had the space and capacity to support Baltimore youth. Tolentino admitted many stakeholders were skeptical of transferring youth due to safety concerns. Fortunately, Maryland’s DJS was able to get all stakeholders on board and came to an agreement. Moving forward, every time a youth who was charged as an adult went in for bail review in Baltimore, they were transferred to the juvenile facility. The success of this initiative prompted Maryland to expand the law statewide. Tolentino concluded by visually showcasing the 55 percent decline in Maryland’s juvenile detention center population from 2009-2018. To date, there are about 100 youth charged as adults in juvenile facilities.

Moving forward, Tolentino explained Maryland’s DJS plans on leveraging outcomes from the Maryland-Baltimore partnership to reinforce the idea that children and young adults can come together and learn from each other in safe environments. After much skepticism, Maryland is finally getting buy-in from stakeholders, but as they move forward in compliance with JJDP, she admits there is still a lot of work to be done. Tolentino also mentioned disparities in the amount of time youth charged as minors versus youth charged as adults spend in juvenile facilities awaiting the transfer hearing (20 days v. 150 days, respectively). Thus, this produces inevitable challenges as facilities are designed to support children for up to 20-days only.

Reflections from the Judiciary and Technical Assistance Perspectives

Reflection: The Honorable Hiram Puig-Lugo, Board of Directors, National Council of Juvenile and Family Court Judges

The Honorable Hiram Puig-Lugo began by indicating the [National Council of Juvenile and Family Court Judges](#) (NCJFCJ) have recently prioritized their focus on 1) narrowing the door into the child welfare system, 2) ensuring youth placements are as short as possible, and 3) prioritizing kinship care as the first option for placement. Puig-Lugo mentioned that NCJFCJ has membership beyond the bench including administrators, non-profit organizations, mental health providers, and community and Family Courts

representatives. The main goal of NCJFCJ is to ensure judges have the knowledge and skills to provide families with appropriate services. Training programs are offered throughout the year, and each session is focused on a variety of topics including domestic violence, sex trafficking, and child neglect and/or abuse. Given the enactment of FFPSA, changes will be incorporated into these training sessions.

From a judicial perspective to reform, Puig-Lugo explained “Family Court is the one place where I feel I can make an impact.” He admitted there have been positive changes, and progress made, but remains concerned about two specific barriers to reform: 1) stakeholders are always looking for the “magic bullet,” and 2) leaders have a tendency to over-correct. He warns that in the process of over-correcting, more problems are created, and encourages leaders to not make changes unless there is something in place to support that change and potential consequences. He provided an example in the District of Columbia, where the DJS is currently scrambling to develop appropriate services to keep first-time offenders safe due to implementing changes without much planning. He emphasized the importance for stakeholders to be nuanced, make smart decisions, and interact with families and youth in ways that are appropriate, meaningful, and productive. In regards to resources and tools for judges, Puig-Lugo felt strongly about providing on-going training and opportunities for collaboration.

Reflection: Julie Breedlove, Managing Director, Communities and Priorities, Capacity Building Center for States

Julie Breedlove is a Managing Director at the [Center for States](#). Her work focuses on providing states and jurisdictions technical assistance on their child welfare system. Julie recognized the child welfare system, along with many other systems, is complex, and therefore it becomes difficult to effectively implement long-term sustainable changes. Breedlove summarized the many challenges states are currently experiencing as they prepare to implement FFPSA, including struggles associated with:

- High staff turnover rates;
- Implementing evidence-based services for families and youth;
- Engaging partners across different systems;
- Finding meaningful ways to engage families and youth;
- Recruitment and retention of foster families;
- Reducing congregate care;
- Lack of quality data to identify gaps; and
- Lack of funding for prevention services.

Breedlove commended Ayers and the Commonwealth of Virginia for having such a robust system in place which allows for collaboration and acknowledged many states are still in the review process. Breedlove finished her remarks by bringing attention to prevention services, an area which historically has not been of much interest to the child welfare system. However, given new provisions in FFPSA, states are also finding challenges aligning program improvement strategies with FFPSA.

Resource Mapping and Group Discussion

In this next portion of the meeting, participants engaged in an interactive activity with the purpose of mapping and organizing various resources and tools available to support JJCPA and FFPSA. Posters were displayed around the room for participants to post and share resources. There were six categories, each divided by juvenile justice and foster care:

1. Decreasing the number of youth in correctional/residential facilities

2. Racial equity and disproportionate minority contact
3. Evidence-based/informed practice and programs
4. Increasing education and workforce success
5. Other
6. Gaps

Meaningful reflections, questions, and findings developed from this discussion. Challenges and reservations are noted below:

Participants prompted important questions about the lack of engagement of youth and families and the absence of community voice and support. Participants recognized the need for a “cultural shift” in order to effectively implement FFPSA and JJDPa and had concerns about getting everyone on board. The group also noted the lack of resources for evidence-based services. This is particularly important given provisions in JJDPa and FFPSA that require such services. Thus, the lack of resources and guidance in this area leaves leaders with uncertainty and confusion. Participants also noted the lack of investment in the juvenile justice and foster care system and admitted funding is a barrier to long-term sustainability. More generally, participants shared reservations about the lack of guidance, support, and training needed to effectively implement FFPSA and JJDPa. Lastly, participants mentioned that the lack of collaboration between the juvenile justice and foster care system can restrain the exciting opportunities provided in both pieces of legislation.

Key Takeaways and Closing

The discussion group concluded with participants sharing key takeaways. There was a group consensus that more conversations are needed between child welfare and juvenile justice leaders to strengthen collaborations and partnerships. Participants also stressed the importance of engaging youth, families, and providers. Many appreciated the transparency of the state presentations and were thankful for having an opportunity to discuss both laws simultaneously. Additionally, participants said it was affirming to know they are not alone in this process. In terms of next steps, they admitted there is still much work to be done, but remained hopeful for stronger partnerships, improved engagement with families and youth, and increased commitment from professionals in the field.