

Reentry Planning: Preparing for a Safe Return

INTRODUCTION

As communities look to keep young people safe from COVID-19, many are identifying ways to reduce the number of young people who are arrested or detained. The virus has the potential to spread quickly through crowded detention centers and many communities are also working diligently to get as many young people as possible back home to safety. Reentry planning remains a crucial part of this transition. Such planning can be essential in ensuring that young people go home with key services and supports in place, and that they do not exit the justice system to homelessness.

WRITTEN REENTRY PLANS SHOULD AT A MINIMUM:

- Be based on an assessment of the young person's needs;
- Take into account pre-release and post-release plans for the youth;
- Take into account living arrangements to which the youth will be discharged; and
- Include any other plans developed for the youth based on an individualized assessment.[1]

This is a critically important step to ensure that young people exit the justice system to safe, stable, and secure housing. Research has shown that 44% of young people who are experiencing homelessness report that they have also spent time in a jail or detention facility.[2]

REENTRY RECOMMENDATIONS

The Coalition for Juvenile Justice, in partnership with the National Network for Youth and the National League of Cities' Institute for Youth, Education, and Families, developed their "Principles for Change," a series of recommendations for ways that communities can address the intersection between youth homelessness and juvenile justice. These recommendations, and the subsequent report, "Implementing Change: Addressing the Intersections of Juvenile Justice and Youth Homelessness for Young Adults," details ways that communities can strengthen reentry plans, including:

- Ensuring that young people have access to identification documents such as a birth certificate, social security card, and government issued identification card (that does not say it came from a justice facility or justice agency).
- Ensuring that reentry plans include backups and alternatives so that the young person does not have to figure out alternative housing while facing an emergency.
- Ensuring that reentry plans address housing, education, and employment, as well as the social supports that a young person may need to successfully reenter the community such as life skills training, and assistance in building healthy relationships.
- Ensuring that young people have access to mental and physical health care as appropriate.
- Ensuring that mentors with similar lived expertise are available to help a young person navigate their return to the community.
- Providing support for young people to clear/expunge their records.

[1] 34 U.S.C. 11133 Sec. 223 (a)(31). (Requiring that as part of Title II applications, states indicate how their reentry plans take into account these elements.)

[2] M.H. Morton, A. Dworsky & G.M. Samuels, Voices of Youth Count, Missed Opportunities: Youth Homelessness in America (2017), available at <http://voicesofyouthcount.org/brief/national-estimates-of-youth-homelessness/>.

DURING THE CURRENT PANDEMIC, ADDITIONAL QUESTIONS SHOULD BE CONSIDERED:

- How can probation and other appointments take place remotely so that social distancing can be maintained and public transportation avoided?
- How, if at all, do original plans for return need to be altered, based on the health of individuals in the home where the young person was going to be living?
- Do youth and their caregivers have needed supplies to keep healthy and safe, such as cleaning supplies, masks, etc.
- How can education continue when the young person returns home?
- What technology and other supports will be needed to continue distance education?
- What supports need to be in place so that the young person's physical and emotional wellbeing is protected during this challenging time?
- What services and supports will the young person and others in their home need to be connected with in order to secure basic essentials like food?
- How can mentors, and others help support young people while social distancing.

When available, technology can play a key role in this work. Zoom can be available to remain in compliance with HIPAA requirements for teletherapy. Telemedicine apps such as VSee and <http://Doxy.me> can be helpful for probation officers and therapists to have virtual face-to-face contact with youth and families. Community-based groups like Youth Advocate Programs Inc. and the Community Justice Network for Youth at W. Haywood Burns Institute, for example, are great resources to connect youth to support.

OTHER POINTS TO CONSIDER:

H. 6964, legislation which passed in December 2018 and reauthorized the Juvenile Justice and Delinquency Prevention Act, requires states to ensure that student records are transferred in a timely fashion from the educational program that the student was enrolled in while housed in a detention facility or secure treatment facility. These records, including electronic records when available, must be sent to the school in which the student will be enrolling in the community.

Credits that a young person earned while in the facility must also be transferred. Students must be able to receive full or partial credit toward high school graduation for secondary school coursework that they satisfactorily completed before and during the time in which they were held in custody. This requirement applies regardless of the local educational agency or entity from which the credits were earned.

STATE EXAMPLES:

In Washington State, reentry plans are developed in close coordination with the youth who is exiting placement. For students who have reached the age of 18, this includes helping them secure housing, helping them secure employment, and identifying opportunities for them to continue their education after they leave a detention center.

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. 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.[3]

[3]2016 Annual Santa Clara County Juvenile Justice Report, Santa Clara Juvenile Probation Services (2016), available at https://www.sccgov.org/sites/probation/Documents/JPD%20Services%20Annual%20Report_2016_FINAL.pdf.