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# **STRATEGIES FOR ADDRESSING LENGTH OF STAY TO IMPROVE OUTCOMES FOR YOUTH AND COMMUNITIES:**

LESSONS LEARNED FROM THE  
LENGTH OF STAY POLICY ACADEMY



## Acknowledgements

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## Introduction

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In recent years, there has been a growing recognition that youth involved in the juvenile justice system thrive best when they receive services and supports in their own homes and communities. While some system-involved youth may benefit from time-limited out-of-home care to maximize public safety and other positive outcomes, justice system professionals must always be mindful of the impact that residential placement can have on youth's development and their ability to maintain positive connections to their families, schools, and communities.

Given the strengths of community-based approaches and research indicating a limited relationship between the length of out-of-home placements and positive outcomes, justice system leaders should ensure that youth remain in post-adjudication facilities only for the time necessary to achieve their treatment needs. This means shaping positive and effective facility experiences for youth in an efficient manner, recognizing that some components of programming and service delivery can and should be delivered in the community. Ultimately, it is important for youth-serving practitioners to understand what research studies say about the impact of out-of-home placements, how long youth stay in these placements, the effectiveness of

different services and approaches, and how to structure re-entry to facilitate timely release and support youth's growth and well-being.

To help juvenile justice officials and partners address length of stay in post-adjudication out-of-home placements, in 2020 the Center for Juvenile Justice Reform at Georgetown University's McCourt School of Public Policy (CJJR) and the Council of Juvenile Justice Administrators (CJJA), with funding and support from The Pew Charitable Trusts (Pew), developed and launched the Length of Stay (LOS) Policy Academy. This brief provides an overview of the information gathered and lessons learned from the LOS Policy Academy, highlighting strategies that jurisdictions may adopt to analyze and address factors that affect LOS and ultimately improve outcomes for youth and communities.

## Length of Stay Policy Academy

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The goal of the LOS Policy Academy was to support jurisdictions in identifying and addressing key factors contributing to LOS for youth in post-adjudication placement [1]. As part of the LOS Policy Academy, multi-disciplinary teams from five selected jurisdictions, including Bexar County, Texas; Idaho; Maryland; New York City, New York; and Oklahoma, participated in a series of virtual trainings and technical assistance (TA) activities between March 2020 and December 2021. Through this engagement, the teams explored a series of strategies related to LOS, including:

- 01 Using data to gain insight into factors contributing to LOS, identify disparities faced by particular populations of youth, and inform changes to policies and practices;
- 02 Developing and implementing fair, predictable, and structured LOS policies and accompanying practices;
- 03 Re-evaluating current LOS policies and practices around case planning and treatment dosage;
- 04 Enhancing facility-based programming and treatment services;
- 05 Responding to youth behaviors in the facility through strength-based and developmentally appropriate approaches;
- 06 Bolstering re-entry planning, services, and resources;
- 07 Engaging and partnering with youth and families; and
- 08 Leading agency-wide culture change around LOS and creating communication plans to promote buy-in from internal and external stakeholders.

One unique feature of the LOS Policy Academy was that the five participating teams were comprised of multi-system agency representatives, including juvenile justice agency leaders, treatment directors, facility leaders, senior-level data analysts or

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[1] In this brief (and consistent with the definition used throughout the LOS Policy Academy), length of stay refers to the entire time a youth spends out of their home in custodial status after adjudication, including time spent residing in detention pending placement, or in a youth correctional facility, residential treatment facility, residential aftercare program, or group home.

researchers, and other key stakeholders such as judges and attorneys (see [Appendix A](#)). During the training and TA period, these representatives had opportunities to strengthen their initiatives collaboratively, creating LOS policies and approaches with input from stakeholders. Ultimately, each team developed an action plan designed to address LOS based on the unique needs of their jurisdiction, which they are currently in the process of implementing.

## Research Related to LOS

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While there is limited data on the average LOS experienced by youth nationally, research has indicated that a variety of factors may impact the time youth spend in out-of-home placements. Research has shown, for example, that certain characteristics of a youth are correlated with LOS, such as their offense history and severity, age of first referral/release, socioeconomic status, family dynamics, and association with delinquent peers [2] (Cuevas et al., 2017; Heggeness & Davis, 2010; Walker & Bishop, 2016; Winkour et al., 2008). From an equity standpoint, studies have also shown that youth of color are more likely to be formally processed, placed in out-of-home programs or facilities, and have longer stays in placement than their white counterparts (Bonnie et al., 2013; González, 2017; Leone, 1994). Moreover, youth with disabilities and other behavioral health issues are likely to remain in out-of-home placement longer compared to other youth (Heggeness & Davis, 2010; Sprague et al., 2020). Characteristics specific to a jurisdiction, including facility security level, population density (urban vs. suburban), and local policies can also affect youth's LOS (Heggeness & Davis, 2010; Winkour et al., 2008).

Despite the unfounded perception that public safety risk can be diminished through longer stays in residential facilities, research literature shows no consistent relationship between LOS and recidivism (Loughran et al., 2009; Villettaz et al., 2006; Walker & Bishop, 2016) or between LOS and skill acquisition (Walker & Bishop, 2016). In fact, the longitudinal [Pathways to Desistance study](#), which looked at youth who committed

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[2] In this brief, delinquent peers refers generally to peers who engage in antisocial behaviors. Examples of such behavior may include, but are not limited to, engaging in assaultive behavior toward others, engaging in theft or destruction of property, and selling illicit substances.

serious offenses [3], suggested that as youth grow older, most of them reduce their offending patterns, both in terms of frequency and severity, regardless of the types of intervention (Mulvey, 2011). Further, youth with similar characteristics who were incarcerated between three to 12 months had similar re-arrest rates, indicating that longer length of out-of-home placement does not necessarily reduce youth's likelihood to reoffend (Mulvey et al., 2014). In the same study, researchers found that frequent and positive adult contact, acceptance of responsibility, increased temperance, and positive attitudes about the legal system were associated with lower rates of reoffending (Mulvey et al., 2014). These findings have implications regarding the types of interventions that may support youth to avoid further involvement with the legal system and illustrate reasons to examine and address the length of time youth stay in custody.

## Strategies to Examine and Address LOS

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Jurisdictions interested in examining and addressing LOS can consider a series of strategies designed to improve outcomes for youth and communities. Informed by the work of the LOS Policy Academy cohort and other jurisdictions that have worked on LOS, the following section highlights a variety of actions to explore as part of this effort, including: using data analysis to evaluate LOS and drive reforms; creating fair, consistent, and structured policies; examining placement decisions and assessment utilization; incorporating a Positive Youth Development approach; delivering effective programming and treatment at the optimal dosage; planning for community reintegration; establishing authentic youth and family partnerships; and implementing strong communication plans. A checklist of strategies highlighted in this section can be found in [Appendix B](#).

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[3] The authors of the Pathways to Desistance study defined serious offenses as "all felony offenses with the exception of a few less serious property crimes, as well as misdemeanor weapons offenses and misdemeanor sexual assault" (Mulvey et al., 2014, p.4). The researchers also included drug offenses as a "serious offense," but capped the number of male youth to 15 percent of the sample due to the significant proportion of boys charged with drug offenses.

## *Using Data to Evaluate LOS and Drive Reforms*

In order to make sustainable policy and practice changes related to LOS, it is helpful to first understand how youth are experiencing LOS, the factors driving LOS, and the types of research-based strategies that hold the greatest promise for improving outcomes for youth, families, and communities. Ideally, this process begins with an examination of various data points related to LOS, as well as an exploration of current agency and facility policies that impact LOS. See the box insert on [page 8](#) for a series of questions to consider as part of this exploration.

Indeed, juvenile justice agencies that have led LOS reforms have utilized quantitative data to guide their efforts. For example, years ago, leaders in Utah's Division of Juvenile Justice and Youth Services (DJJYS) found that there were significant differences in LOS between the five DJJYS-operated facilities in the state—data that spurred important conversations regarding the root causes of those differences and strategies to address them. More recently, in examining data as part of the LOS Policy Academy, the New York City team discovered that youth's average LOS in the jurisdiction was approximately ten months and not the six or seven months that they originally anticipated, which greatly informed their LOS action plan.

Jurisdictions have also used qualitative data to contextualize and complement quantitative findings. Leaders in Arkansas [\[4\]](#), for example, convened a LOS Working Group to review LOS-related policies, practices, and data using a mixed-method approach. One of the key findings that came out of this process was related to Arkansas facilities' responses to youth behavior. Quantitatively, researchers found that 20 percent of the youth residents received "time-outs," or short-term sanctions for noncompliance, resulting in extensions of LOS by three months on average. Through qualitative interviews with staff, researchers found that staff had broad discretion to issue these extensions with little guidance from leadership. These quantitative and qualitative datapoints provided Arkansas' leaders with concrete information to construct their LOS policies and practices moving forward.

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[4] The LOS Working Group published a report in 2019 to highlight their findings and recommendations. The report is available at: [https://humanservices.arkansas.gov/wp-content/uploads/DYS\\_Length\\_of\\_Stay\\_Working\\_Group\\_Final\\_Report\\_February\\_2019.pdf](https://humanservices.arkansas.gov/wp-content/uploads/DYS_Length_of_Stay_Working_Group_Final_Report_February_2019.pdf).



## GENERAL QUANTITATIVE DATAPOINTS TO EXPLORE

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- ✓ What is the average, minimum, and maximum time youth experience between adjudication and arrival at placement? Elsewhere in the intake process? Between placements?
- ✓ Do youth with similar offense types and risk levels face disparities in LOS based on demographic characteristics or other factors (e.g., race, ethnicity, gender identity, special education/disability, language proficiency, mental health needs)?
- ✓ How many placements do youth spend time in before release?
- ✓ How frequently is a youth's LOS extended (e.g., through formal extensions of case plan, short- or long-term sanctions for behavioral noncompliance) and reduced (e.g., through behavioral incentives, meeting treatment goals/milestones)? What is the average length of these extensions and reductions? Are there disparities in LOS extensions and reductions based on youth demographics?
- ✓ Does a youth's overall LOS differ based on where the youth is first placed?

## GUIDING QUALITATIVE QUESTIONS TO ASSESS POLICY

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- ✓ How is LOS determined? Is LOS impacted by the youth's risk level, offense, or other factors? Is LOS distinctly tied to the treatment goals of the youth?
- ✓ Is the policy on how to determine LOS clear and easily understood by staff, youth, families, and other stakeholders? Is the policy actually implemented consistently in practice?
- ✓ How are mitigating or aggravating factors applied toward the initial determination for expected LOS? Does the policy distinguish between delinquent behaviors and typical adolescent behaviors?
- ✓ Does the policy allow for shortening and/or extending LOS? If so, how are these reductions or extensions determined?

A LOS data collection template developed as part of the LOS Policy Academy can be found [here](#).

## *Creating Fair, Consistent, and Structured LOS Policies*

In order to promote fairness and predictability of LOS decision-making, it is important that LOS policies are clearly written and easily understood by all parties, including youth, families, staff, and other stakeholders. Establishing a structured process for determining LOS helps system officials make more objective, consistent, and transparent decisions and encourages buy-in and engagement on the part of youth and families.

The Illinois Department of Juvenile Justice (IDJJ) is one example of an agency that has sought to establish a structured process for LOS. Upon each youth's commitment to the agency, IDJJ works to set an individualized target release date, considering the type of offense and the youth's history of violent offenses. Youth are able to earn LOS reductions by participating in approved programming and/or by meeting behavioral goals. A multi-disciplinary team comprised of staff from education, mental health, security, and case management meets monthly with the youth and family to develop and review the youth's case plan, identify progress and challenges, and discuss opportunities for LOS reductions. All information related to IDJJ's release decisions is shared online, and key stakeholders involved receive automatic notifications to facilitate the decision-making process. A more detailed description of IDJJ's LOS efforts can be found in [Appendix C](#).

### **JURISDICTION HIGHLIGHT: ILLINOIS DEPARTMENT OF JUVENILE JUSTICE OFFERS OPPORTUNITIES FOR YOUTH TO EARN EARLY RELEASE**

Recognizing that the ability to earn early release from the facility can be a powerful motivating factor for youth, IDJJ has incorporated this opportunity into its LOS policy and practice. The agency's policy delineates a variety of opportunities for youth to earn reductions in their LOS. For instance, youth who achieve a treatment goal (as identified via their assessment process informed by the use of the Youth Assessment and Screening Instrument) can earn a 15-day reduction in their LOS; youth who complete a skill-based group can earn a 14-day reduction; and youth who have no major rule violations for 28 consecutive days can earn a 7-day reduction. Additionally, when youth meet particularly meaningful and desirable milestones (e.g., completing their GED or a substance use treatment program), a multi-disciplinary team meets to consider the youth's immediate release.

## *Examining Placement Decisions and Assessment Utilization*

A growing number of justice system leaders have begun to recognize that out-of-home placements can often lead to poor outcomes for many youth, including an increased chance of future delinquency or involvement in the legal system. Many system leaders also acknowledge the heightened monetary and opportunity costs [5] associated with incarceration and are reserving out-of-home placements for those who are at the highest risk of recidivating and who have significant needs, such as mental health and substance use issues, extensive trauma histories, and limited familial supports within their communities. For those youth, it is critical that facilities have data-driven assessment tools and policies in place to help practitioners individualize youth's course of treatment and dosage and regularly evaluate youth's progress in programs.

A widely recognized approach to assessment is the Risk-Need-Responsivity model, which can be used to drive more effective treatment decisions and shorten LOS. While using risk and needs assessment tools can offer many benefits, system leaders and practitioners should also consider the limitations of these instruments. For example, at least one study has indicated that youth of color are more likely to be miscategorized in assessment instruments as high-risk, compared to white youth (St. John et al., 2020). Relatedly, facility leaders can benefit from examining the assessment process and how it contributes to LOS. Could the assessment processes and policies inadvertently perpetuate racial disparities? How are assessment tools being used? When are the assessments administered, and by whom? How are the assessment results communicated to the treatment team, decision-makers, youth, and their families to make informed LOS decisions?

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[5] Justice Policy Institute found that in 2020 the average state cost for the secure confinement of one youth per year was \$214,620, and a total of 40 states and Washington, D.C. reported spending at least \$100,000 per child incarcerated per year, with some states spending more than \$500,000 per confined youth per year. The report authors urge that "resources can be better allocated toward services known to improve outcomes, including community-based alternatives, secondary and higher education, and investments in communities that are most impacted by crime" (p.5).

## **JURISDICTION HIGHLIGHT: BEXAR COUNTY, TX'S EFFORT TO END DISCIPLINARY SECLUSION**

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Historically, the Bexar County Probation Department relied heavily on the use of disciplinary seclusion as a response to negative or undesirable youth behavior (e.g., violation of rules) in their Krier Center youth facility. This practice often resulted in a youth's LOS being extended significantly and negatively impacted staff-youth relationships. As part of their efforts to address LOS through the LOS Policy Academy, the Probation Department sought to eliminate the use of disciplinary seclusion at Krier.

The Bexar County team started by facilitating multi-disciplinary work groups, including front-line officers, clinicians, supervisors, and managers, to review what existing programming and facility approaches would look like without disciplinary seclusion. The workgroups conducted a detailed assessment of how Krier Center could effectively address behaviors without using seclusion, and the team began to build a continuum of treatment-based responses to negative behavior as well as impactful incentives for positive behavior. Concurrently, the leadership team identified classifications for behaviors based on the Dialectical Behavior Therapy (DBT) [6] model.

Instead of utilizing disciplinary seclusion, facility staff now intentionally incorporate DBT principles and therapeutic work into their efforts, including engaging youth who display negative behavior in therapeutic work. All staff, including probation officers, clinicians, and education staff, have been trained on the new programming protocols. As of October 2021, the Krier Center no longer uses disciplinary seclusion.

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[6] Dialectical Behavior Therapy (DBT) is a branch of cognitive behavioral therapy that emphasizes balancing acceptance and change. Therapists using DBT accept and see the individual as a whole person rather than a disorder, and encourage behavioral and cognitive change through specific elements such as mindfulness, distress tolerance, emotion regulation, etc. Several independent controlled randomized clinical trials have found DBT to be effective in treating individuals with borderline personality disorder, eating disorders, substance use disorders, as well as suicide attempts (Lynch et al., 2006).

## *Incorporating a Positive Youth Development Approach*

Reliance on punitive, reactive disciplinary practices can often inadvertently increase a youth's LOS and affect their adjustment to the community after placement (Schubert et al., 2012). At the facility level, some problematic practices include the use of solitary confinement, program removal, and adding time to one's LOS without an intended treatment purpose. Instead, to promote behavior change in youth, facility leaders can benefit from utilizing more strength-based strategies to encourage positive behaviors so that young people have ample opportunities to learn, practice, and grow.

One strategy that has garnered widespread attention from the juvenile justice field is the implementation of a Positive Youth Development (PYD) framework, an approach that seeks to promote a youth's development, including a successful transition to adulthood, in a strength-based manner. A PYD framework emphasizes the plasticity in one's development and sees all youth as capable of achieving success given the right opportunities and resources. Programs steeped in a PYD framework tend to focus on asset-building, such as developing sustained relationships, generalizable skills, and leadership abilities. Research studies have found that programs taking a PYD approach can increase youth's sense of safety, self-esteem, and skill acquisition; improve educational outcomes, communication, and social bonding; and reduce psychosocial problems and other negative behaviors (Catalano et al., 2004; Development Services Group, 2014).

Within youth facilities, the behavior management or motivation system also represents an important opportunity to embed a developmental approach. If implemented well, an effective behavior motivation system will both incentivize positive youth behavior and respond to undesirable behaviors, while emphasizing skill development and restorative justice principles in the process. There are several key components of an effective behavior motivation system that can reduce the chances of extending youth's LOS as a result of behavioral incidents:

- 01 Setting simple, clear expectations that are fair and focused on positive behaviors. When young people understand the expectations and perceive them as fair and just, they are more likely to be receptive and less likely to act out.

- 02 Having a wide variety of incentives that are meaningful and achievable by all youth, established in collaboration with young people, and updated periodically.
- 03 Training staff to clearly communicate the direct relationship between behaviors and consequences consistently, so they are ready to recognize desirable behaviors and address negative behaviors without soliciting defensive responses from youth immediately following the target behavior.
- 04 Integrating skill acquisition and treatment goals into behavior responses, reinforcing generalizable skills that target youth's needs and support their community reintegration.

### *Delivering Effective Programming and Treatment at the Optimal Dosage*

Another consideration for juvenile justice leaders and practitioners committed to addressing LOS is examining whether their facility-based programming and treatment approaches are high quality and offered at sufficient dosage levels. Ideally, LOS projections and treatment plans should intentionally focus on youth's progress in key domains based on their treatment goals, such as the attainment of generalizable skills that youth can apply in the community. Researchers have found that structured, strength-based programs targeting criminogenic needs are effective in preventing youth from engaging in further delinquent behaviors (Development Services Group, 2014; Lowenkamp et al., 2010; Mathys, 2017). Tying LOS adjustments to youth's treatment progress ensures that youth's time spent in the residential facility is purposeful and provides meaningful incentives for youth to engage in programming.

Some effective programming examples include skill-based programs that allow youth to make generalizable changes, mentoring programs that offer sustained pro-social youth-adult relationships, victim education awareness programs that promote empathy, and treatment interventions that use a cognitive behavioral modality to help youth establish new pathways of thinking and behavior patterns (Mathys, 2017; Walker & Bishop, 2016). Family-centered interventions that build supportive family dynamics can also promote positive youth outcomes. Availability and variety of effective programming ensure that youth can make the most out of their time in out-of-home placement and that treatment hours can be met in a timely and developmentally appropriate manner.

The dosage of treatment is another key consideration in structuring youth's days in residential care. Lipsey & Wilson (1998) noted that for youth with chronic, serious, and violent offending histories, longer LOS is correlated with larger treatment effects, with the median sample length of treatment being 25 weeks. This meta-analysis of over 200 studies demonstrated the importance of youth receiving and completing appropriate treatment as planned in order to effectively reduce recidivism. In fact, residential programs with ineffective treatment approaches increase, rather than reduce, recidivism rates, even with longer LOS (Lipsey & Wilson, 1998). The researchers also highlighted that who administered the facility programming mattered; programs administered by mental health personnel had a stronger relationship with reduced recidivism compared to programs administered by juvenile justice personnel (Lipsey & Wilson, 1988).

Other research literature has indicated that between 100-250 treatment hours may be an adequate dosage for medium- to high-risk youth in out-of-home placements (Lipsey, 1995; Makarios et al., 2014). As noted above, a more recent analysis of the longitudinal Pathways to Desistance study found that youth with lengths of stay between three to 12 months have similar re-arrest rates. This suggests that keeping youth in residential facilities for more than three to six months has only marginal benefits for reducing recidivism rates (Loughran et al., 2009). In recognition of research literature on treatment and dosage, all of the Illinois Department of Juvenile Justice facility-based intervention programs, except for the competency-based juvenile sex offender treatment program, are designed to be completed within three months or less.

Collectively, research studies point to the need for system leaders to carefully consider the LOS for youth in residential facilities. Again, longer LOS does not necessarily result in lower recidivism rates and increased public safety. Instead, providing youth with appropriate, varied, and high-quality facility-based services only for the time necessary to advance the youth's treatment goals holds the greatest promise for achieving positive youth and community outcomes.

## **JURISDICTION HIGHLIGHT: HOW MARYLAND TIES LOS GUIDELINES TO TREATMENT PLANS**

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The Maryland Department of Juvenile Services has broad responsibility over many aspects of the state's juvenile justice system, including managing residential treatment programming and making release recommendations to the court. As part of the LOS Policy Academy, the Maryland team closely examined their LOS data and found that behavior management responses were the primary driver of youth's LOS. Accordingly, the team sought to more intentionally tie LOS determinations to the accomplishment of youth's treatment goals.




Realizing the need to develop a comprehensive treatment model, the Maryland team started by reviewing all the programs offered in their facilities, as well as the number of hours youth are available for treatment. The team categorized programs available to youth and determined that DBT would be the foundational treatment framework. Additional services include family counseling; individual counseling; trauma-focused cognitive behavioral therapy; and, if needed, the Seven Challenges Program, a substance use program. The treatment teams will now establish consistent targets for treatment dosage based on the youth's risk levels and individual needs. The effort is designed to better incorporate treatment targets and progress into LOS recommendations.

### *Supporting Community Reintegration*

Building capacity within the community to ensure there is a continuum of services to support youth post-release is a key strategy to optimize LOS and safely release youth at the earliest time possible. Historically, the re-entry process has been viewed as two separate hand-off components—the first made between the local court and the facility where the youth was placed, and the second from that facility back to the agency that would supervise the youth in the community after their release. In many jurisdictions, these hand-offs can be minimally coordinated and lack a cohesive case management approach, resulting in a disjointed youth and family experience. This lack of coordination can also contribute to unnecessarily long periods of time in placement and other poor outcomes, such as high levels of recidivism.





Jurisdictions focused on addressing LOS can examine the impact of their re-entry policies and practices, as well as the availability of community-based services and resources to support youth's community reintegration. Key components to explore include, but are not limited to:

-  Developing culturally-responsive, comprehensive community reintegration plans for youth that address a variety of domains, including education, employment, housing, medical and behavioral health care, family and other pro-social relationships, as well as life skills;
-  Building and linking youth to a sustainable continuum of community-based services, programs, and supports; and
-  Promoting continuity of care between the facility and community, including the integration of generalizable skill development into the youth's programming and treatment so that youth are ready to apply learned skills when they are in the community.

System leaders should be cautious not to keep youth in out-of-home placement solely on the basis of their treatment needs. For youth with disabilities, this practice may violate the Americans with Disabilities Act, which states that criminal justice entities, including juvenile justice agencies, must "ensure that people with disabilities are treated equally in the criminal justice system and that they have equal opportunity to benefit from safe, inclusive communities" (U.S. Department of Justice, n.d.).

Differentiating treatment interventions that should take place in the facility versus the community can be an effective strategy to strengthen facility approaches to re-entry. Examples of jurisdictions that have addressed this issue include:

-  **Utah:** The LOS policy of the Utah Division of Juvenile Justice and Youth Services states that high-risk youth must complete over 200 treatment hours focused on criminogenic needs in the facility, but allows up to 25 percent of these treatment hours to be completed in the community.
-  **South Dakota:** The South Dakota Department of Corrections contracts with out-of-home placement providers to serve youth committed to the agency. To encourage reduction of LOS without compromising program quality, the agency operates a performance-based reimbursement

payment process for placement providers that release youth who have substantially accomplished treatment goals within three months of placement. If a youth returns to the program, the days spent in placement also count toward the total LOS for the incentive payment computation.

## **JURISDICTION HIGHLIGHT: NEW YORK CITY'S REINTEGRATION PLAN FOR YOUNG PEOPLE**

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In 2012, the state of New York passed the “Close to Home” (CTH) legislation, which shifted the care and custody of New York City youth in placement from the state to the city. Through the CTH initiative, NYC now contracts with treatment providers based in the city to work with youth during placement and upon release. While engaged in the LOS Policy Academy, the NYC team examined their data and found that youth’s LOS in these facilities varied depending on the providers and their approaches. In short, there was not a uniform process to determine readiness for release.

As part of their Policy Academy action plan, the NYC team created a 6-month presumptive LOS guideline for all CTH youth, regardless of the docket length (either 12 or 18 months), classification, or permanency status. This allows the treatment team to share a written projected release date with youth and their families within 48 hours of facility admission, with the understanding that the actual release date is adjusted based on youth’s behavior, progress and efforts toward goal achievement, skill attainment, and participation in pro-social and community-based activities. Furthermore, the team created written guidance and a [release readiness checklist](#) to guide bi-weekly LOS discussions, where all partners deliberately talk through youth’s treatment progress and their readiness for release.

It is noteworthy that as part of NYC’s LOS policy, all CTH youth, including those in secure facilities, must be offered opportunities to participate in neighborhood-based activities while in residential care. This may include supervised or unsupervised day visits, community-based programming, home passes, etc. For example, youth may be able to attend schools in their community while in residential care, so after release they can more seamlessly integrate into their schools.







## *Partnering with Youth and Families: "Nothing About Us Without Us"*

Research literature has long documented the importance of juvenile justice agencies engaging and partnering with the youth and families they serve. Partnering with youth and their families to make important decisions about their own lives motivates them to engage in the treatment process. It can disrupt undesirable behavior patterns, which contributes to treatment success, lower recidivism rates, and shorter LOS (Cuevas et al., 2017). Studies have also shown that youth's experience with and perception of the justice system matters in determining youth's future involvement in the legal system. Schubert et al. (2012) examined eight dimensions of residential facilities' functions and found a significant correlation between youth's antisocial activity outcomes and perceived institutional order (e.g., staff's negative behaviors), harshness (e.g., sanctions), and presence of antisocial peers (e.g., peer influence and peer delinquent behaviors). Similarly, procedural justice research has highlighted the importance of fair processes, both real and perceived, which promotes youth's healthy moral development and legal socialization (Bonnie et al., 2013). These findings accentuate the significance of youth experiences, which has important policy and practice implications.

System leaders committed to empowering and engaging families through all decision points will be positioned to enhance positive youth and community outcomes. Not only is family connection vital for adolescents' psychosocial (Dmitrieva et al., 2012; Shanahan & diZerega, 2016) and behavioral development (Mikytuck & Woolard, 2020), but it can also provide the consistency and support young people need, acting as a protective factor against negative influences and moderate against stressors (Development Services Group, Inc., 2018; Shanahan & diZerega, 2016). For youth of color, family provides critical racial and cultural socialization, which are essential in shaping one's identity, self-esteem, and character (Evans et al., 2012). Practitioners should consider implementing culturally responsive approaches when working with youth and families, with the understanding that cultural experience is highly individualized. Juvenile justice leaders can also examine the power imbalances (both real and perceived), biases in decision-making, and systemic racism that often lead to barriers in engaging youth and families. In addition, studies have shown that, for youth in custody, increased numbers of family visits are associated with fewer behavioral incidents (Agudelo, 2013; Mikytuck & Woolard, 2020), improved education (Agudelo, 2013) and mental health outcomes (Monahan et al., 2011), as well as an increased sense of safety reported by facility staff (Mikytuck & Woolard, 2020). All of these positive outcomes can

effectively reduce youth's LOS through minimizing program disruptions and accelerating reintegration readiness. These findings suggest that family partnership is an essential element in providing youth with support that is holistic and sustainable beyond their involvement with the legal system.

Some research-based youth and family partnership strategies related to LOS include:

-  Actively engaging youth in developing, monitoring, and modifying their case plans, allowing them opportunities to discuss and influence their LOS;
-  Employing a broad definition of "family" that extends beyond those individuals related to the child by blood, marriage, or adoption;
-  Providing clear expectations to youth and family members about facility programming and LOS as soon as youth enter the facility through handbooks, orientations, etc.;
-  Proactively engaging families as partners to support youth's positive behavior and development, such as promoting family visitation and participation in milestone events, as well as involving family in case planning and re-entry planning;
-  Empowering youth and families to influence agency decision-making through inclusion in advisory boards, family and youth councils, and special staff positions; and
-  Gathering youth and family feedback on their experiences in the facility to enhance LOS policy and practices.

From keeping youth and families informed of facility operations, to involving them in creating and tracking their rehabilitation progress, to collaborating with them to design and implement policies and practices conducive to youth's growth—all of the elements are essential in this partnership. These strategies can help system leaders to get vital insight into a placement's effectiveness, solicit buy-in from people experiencing the system, elevate youth and family "voices and choice," support youth's positive development and sense of autonomy, and promote equity and inclusion for all.

## JURISDICTION HIGHLIGHT: HOW THE UTAH DIVISION OF JUVENILE JUSTICE AND YOUTH SERVICES PARTNERS WITH YOUTH AND FAMILIES

When leaders in Utah's Division of Juvenile Justice and Youth Services (DJJYS) began addressing LOS in facilities in 2014, they took great care to empower and partner with youth and families. DJJYS staff ensured that agency policies and handouts used strength-based language when referring to families and actively involved families and youth to create a [family/youth handbook](#) and a one-page [Secure Care information sheet](#) that are informative and easy to understand. The Utah Family and Children Engagement Tool, for example, is used to assess the needs and strengths of the youth's family. For many jurisdictions, the assessment process can be an opaque and complicated process, difficult for youth and families to fully comprehend. However, youth and families involved in Utah's DJJYS receive a comprehensive guidebook that explains the treatment process, expectations, and rights of families in simple terms.

Staff are required to hold a hearing within 45 days of a youth's commitment, establishing a LOS guideline for youth and communicating the expected LOS to youth and their families. The agency also hosts monthly child and family team meetings, in which the youth and their family members take part in setting the agenda and leading the discussion.

### *Implementing Strong Communications Plans*

Addressing LOS is a collaborative effort that ideally involves a wide array of partners, including but not limited to youth, families, juvenile justice agency officials (including facility leaders and staff), court personnel, attorneys, community-based providers, advocates, and others. It is therefore essential for jurisdictions taking on LOS policy reforms to consider how they will communicate their efforts to others and promote a culture that is supportive of youth's growth and well-being.

As part of the LOS Policy Academy, participating teams explored five core strategies for communicating around LOS efforts:

**01 Identify Goals**, including the rationale behind the LOS policy changes and key stakeholders.

- 02 **Communicate Internally within Agencies**, as early inclusion and communication with agency staff can build buy-in and support for the initiative. This also presents an opportunity to identify those who may be champions for the effort, as well as those most resistant to change. Messaging strategies should target staff from various ranks (e.g., supervisors, managers, line staff) and disciplines (e.g., custody, education, medical, behavioral health).
- 03 **Build a Proactive Communications Plan**, which may include setting a calendar to highlight key moments for reform enactment and policy successes, as well as developing an outreach plan to regularly communicate with all key stakeholders involved. As one example, the Maryland LOS team created a video to explain to agency staff and partners their LOS efforts in simple terms.
- 04 **Develop Core Messaging Tailored to Target Audiences**. This may include sharing success stories from other jurisdictions and illustrating the reasoning behind new policies through real-life stories. For example, when the Utah DJJYS began its LOS work, one of the first steps that the leadership team took was to consider the potential impact proposed reforms may have on stakeholders, including youth, families, judges, attorneys, victims, community residents, and others.
- 05 **Establish Sustainable Partnerships** with stakeholders and engage them throughout the reform process, from development to final rollout. Some examples to build lasting partnerships include involving stakeholders in workgroups, holding frequent convenings and briefings, and providing all parties with regular updates.

## JURISDICTION HIGHLIGHT: IDAHO'S STRATEGIES FOR COMMUNICATING WITH AND ENGAGING STAFF

As part of its participation in the LOS Policy Academy, the Idaho team implemented a series of strategies to engage staff in the development, communication, and implementation of their action plan. To start, the team hosted a contest for Department of Juvenile Corrections staff to propose a title for their LOS reform efforts, ultimately landing on "EPIC," which stands for "Effective Programming, Intervention, and Collaboration." The team also established workgroups of staff to inform their work and developed a variety of communication tools to ensure that staff across the agency understood the rationale for their efforts and the key steps involved. This included the creation and dissemination of documents and infographics that detailed the team's mission, goals, and timelines. An example of a communications document explaining EPIC for agency staff can be found [here](#).

## JURISDICTION HIGHLIGHT: OKLAHOMA'S EFFORTS TO LEAD AGENCY-WIDE CULTURE CHANGE

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As part of its LOS Policy Academy action plan, the Oklahoma Office of Juvenile Affairs (OJA) facilitated agency-wide culture change by overhauling its facility-based programming schedule, bolstering communication across OJA divisions, and improving staff recruitment and training efforts.

The OJA team integrated meaningful and purposeful relationship-building activities to develop positive, productive rapport between youth and facility staff, including having a mentorship group led by local police, as well as a social skills group led by direct care staff. The team also enhanced communication and coordination across all OJA divisions, focusing on collaborating to meet the individual needs of young people. A **monthly progress report** was developed to improve communications efforts with all parties involved in the youth's treatment. The contracted community-based providers share critical information about the progress youth make every month in treatment, and this monthly progress report is shared with the youth's family, defense attorney, district attorney, the court, and other parties. This process allows for enhanced transparency and communication, as well as timely feedback between key stakeholders involved. In addition, the team created a leadership academy, which serves as an onboarding system for staff, ensuring that OJA presents best practices around PYD and encourages staff to interact with young people in a strength-based way. As part of their action plan, OJA leaders plan to periodically observe, assess, and provide coaching feedback for the direct care line staff and managers. Coupled with ongoing trainings for all direct care staff, the OJA team's efforts show great promise for establishing a positive staff culture at the agency.

When reviewing their policies, data, and progress, OJA reported that these efforts have created opportunities for early interventions and de-escalating situations. This includes reported reductions in use of force and major rule violations, which directly affect youth's LOS. The benefits are not limited to youth. OJA has also reported reductions in staff assaults, creating a safer work environment overall.



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## Appendices

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### Appendix A: List of Participating Jurisdictions and Leaders

#### Idaho

[Brig Blake](#), Rehabilitation Unit Manager, Idaho Department of Juvenile Corrections

[Miranda Hansen](#), Probation Services Supervisor, Ada County Juvenile Probation

[April Horak](#), Program Manager, Idaho Department of Juvenile Corrections

[Scott Johnson](#), Deputy Director, Idaho Department of Juvenile Corrections

[Adam Klappenbach](#), Clinical Supervisor, Idaho Department of Juvenile Corrections

[Jessica Moncada](#), Quality Improvement Services Director, Idaho Department of Juvenile Corrections

[Cindy Orr](#), Education Programs Director, Idaho Department of Juvenile Corrections

[James Phillips](#), Juvenile Placement Manager, State of Idaho, Idaho Department of Juvenile Corrections

[Monty Prow](#), Director, Idaho Department of Juvenile Corrections

[Sherri Root](#), Senior Juvenile Probation Officer, Canyon County Juvenile Probation

[Beverly Wilder](#), Program Manager, Idaho Department of Juvenile Corrections

#### Maryland

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[Scott Beal](#), Executive Director, Maryland Department of Juvenile Justice Services

[Todd Bowman](#), Superintendent, Maryland Department of Juvenile Services

[Brittany Dowdy](#), Central Region Re-Entry Specialist, Maryland Department of Juvenile Services

[Laura Estupinan-Kane](#), Director of Behavioral Health, Maryland Department of Juvenile Services

[Lauren Gordon](#), Director of Policy, Maryland Department of Juvenile Services

[Lynette Holmes](#), Deputy Secretary for Support Services, Maryland Department of Juvenile Services

[John Irvine](#), Director of Research and Evaluation, Maryland Department of Juvenile Services

[Miles Lawrence](#), Psychology Services Chief, Maryland Department of Juvenile Services

[Lisa Nelson](#), Principal, Maryland Department of Juvenile Services

[Susan Nicely](#), Special Projects Manager for the Deputy Secretary of Support Services, Maryland Department of Juvenile Services

[Wallis Norman](#), Deputy Secretary of Operations, Maryland Department of Juvenile Services

[Eric Solomon](#), Director of Communications, Maryland Department of Juvenile Services

[Michael Stamm](#), Administrative Judge, St. Mary's County Circuit Court, 7th Judicial Circuit

[Andrew Tress](#), Acting Director of Legislation and Policy, Maryland Department of Juvenile Services

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[David Chambers](#), Executive Director of the Office of Placement Administration, Administration for Children's Services

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[Sara Hemmeter](#), Senior Advisor for Juvenile Justice Programs, NYC Administration for Children's Services

[Jestine Jennings](#), Program Director of Social Services and Aftercare, Sheltering Arms Children and Family Services

[Nick Marinacci](#), Deputy Superintendent, NYC Department of Education

[Johan Peguero](#), Associate Commissioner of Close to Home, NYC Administration for Children's Services

[Courtney Ramirez](#), DYFJ Executive Director of Special Projects, NYC Administration for Children's Services

[Tim Roche](#), Associate Commissioner, NYC Administration for Children's Services

[Christopher Tan](#), Assistant Commissioner for Education Initiatives, NYC Administration for Children's Services

[Sara Workman](#), Executive Director, Justice Analytics and Child Welfare Reporting, NYC Administration for Children's Services

**Oklahoma**

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[Kathryn Brewer](#), Executive Coordinator, Oklahoma District Attorneys Council

[Greg Delaney](#), Deputy Director Juvenile Services Unit, Oklahoma Office of Juvenile Affairs

[Darryl Fields](#), Superintendent for Central Oklahoma Juvenile Center, Oklahoma Office of Juvenile Affairs

[Rebecca Gore](#), Associate District Judge, State of Oklahoma

[Rachel Holt](#), Executive Director, Oklahoma Office of Juvenile Affairs

[Dana Masquat](#), Deputy Superintendent for Central Oklahoma Juvenile Center, Office of Juvenile Affairs

[Sharon Millington](#), Director of Behavioral Health, Oklahoma Office of Juvenile Affairs

[Carol Miller](#), Deputy Director of Residential Support Services, Office of Juvenile Affairs

[Paul Shawler](#), Chief Psychologist, Office of Juvenile Affairs (no longer with the Office of Juvenile Affairs)

**Bexar County, Texas**

[Jane Davis](#), Chief, Bexar County District Attorney Office, Juvenile Section, Bexar County

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[Jayme Lyon](#), Clinical Manager, Bexar County Juvenile Probation

[Jill Mata](#), Chief Probation Officer, Bexar County Juvenile Probation Department

[William Shaw](#), Judge, 436th Juvenile District Court, Bexar County

[Tamara Vasquez](#), Facility Administrator, Bexar County Juvenile Probation Department

[Jeannie Von Stultz](#), Deputy Chief of Mental Health Services, Bexar County Juvenile Probation

[Carlos Zuniga](#), Deputy Chief Probation Officer, Bexar County Juvenile Probation

## Appendix B: Key Strategies to Address LOS Checklist

### 01 USING DATA TO DRIVE LOS REFORMS

- ✓ Review current agency policies that impact LOS
- ✓ Review quantitative and qualitative datapoints related to LOS

### 02 CREATING FAIR, CONSISTENT, AND STRUCTURED LOS POLICIES

- ✓ Ensure that LOS policies are transparent and offer predictability and objectivity
- ✓ Clearly communicate LOS policy expectations to staff, youth, and families
- ✓ Establish data collection and quality assurance mechanisms to ensure staff adherence to LOS policies

### 03 EXAMINING PLACEMENT DECISIONS AND ASSESSMENT UTILIZATION

- ✓ Reserve out-of-home placement only for high-risk youth with complex treatment needs
- ✓ Minimize the time youth spend awaiting placement post-adjudication
- ✓ Use assessment tools to inform individual youth's course of treatment and dosage

### 04 INCORPORATING A POSITIVE YOUTH DEVELOPMENT APPROACH

- ✓ Set simple, clear, and fair facility expectations for youth residents
- ✓ Offer youth behavioral incentives that are meaningful and achievable
- ✓ Communicate with youth the direct relationship between behaviors and consequences immediately and consistently
- ✓ Integrate skill development and treatment goals into behavior responses (e.g., sanctions)

### 05 FOCUSING ON EFFECTIVE PROGRAMMING AND TREATMENT AT THE OPTIMAL DOSAGE

- ✓ When possible, keep youth in out-of-home placement for no longer than 6 months, and use data to demonstrate the relationship between LOS and desired outcomes (e.g., reduced recidivism, positive youth outcomes)

- ✓ Offer treatment programs at evidence-based dosage levels
- ✓ Tie LOS projections and adjustments to youth's treatment plans and progress to ensure that treatment hours can be met in a timely manner

## 06 PLANNING FOR AND SUPPORTING COMMUNITY REINTEGRATION

- ✓ Integrate generalizable skill development into youth's treatment and re-entry plans
- ✓ Build community capacity to support youth post-release in important domains such as education, employment, housing, medical and behavioral health care, as well as pro-social relationships
- ✓ Ensure that youth do not receive a longer LOS due to the agency's failure to provide timely community reintegration planning

## 07 PARTNERING WITH YOUTH AND FAMILIES

- ✓ Employ a broad definition of "family" that extends beyond the Euro-centric, nuclear family archetype
- ✓ Actively engage youth and families in developing, monitoring, and modifying treatment plans and LOS expectations
- ✓ Empower youth and families to participate in facility programming, including milestone events and opportunities to influence agency policies and practices

## 08 DESIGNING AND IMPLEMENTING A COMMUNICATIONS PLAN

- ✓ Articulate the goals and rationale for LOS policy changes
- ✓ Identify staff who may be champions for and most resistant to LOS policy changes
- ✓ Build a proactive communications plan
- ✓ Develop core messaging and tailor the message based on stakeholder impact
- ✓ Establish sustainable internal and external partnerships

## Appendix C: Illinois Department of Juvenile Justice's LOS Implementation and Communications Approach

The Illinois Department of Juvenile Justice (IDJJ) has rolled out a series of juvenile justice reforms in the past several years, including LOS policy changes. In 2016, a year prior to revising its LOS policy, IDJJ reported [7] an average LOS of about 5.6 months, with a three-year recidivism [8] rate of 58.7 percent. In 2021 [9], four years since implementing the new policy, the agency saw a 37 percent reduction in youth recidivism [10] (from 58.7 percent to 36.9 percent) with an average length of stay of 3.9 months. Throughout this effort, IDJJ has implemented a strong communications plan to articulate the reasons for moving in this direction.

Between 2016 and 2017, Illinois passed laws transferring youth's release authority from the Adult Prisoner Review Board to the Department of Juvenile Justice. This legislative change served as a catalyst to a series of LOS policy changes in Illinois. The leadership team started with developing philosophical guideposts, highlighting their mission to build youth skills, strengthen families, uplift youth voices in the system change process, deliver individualized services through a multi-disciplinary team, and prioritize relationship-building and continuity of care. The team also emphasized that IDJJ's mission can be best achieved by supporting youth in the community through community-based programs and that youth should not be kept in out-of-home placement for misbehavior or treatment unless they pose a significant risk of harm to self and/or others.

Developing and implementing the LOS policy in IDJJ was a challenging process that required deliberate planning and execution. It took over six months to develop the policies, over a year to complete the initial training of all staff on the new policy, and several months to examine data from the piloting period and provide follow-up training.

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[7] IDJJ releases annual reports regarding their facility data, available at: <https://idjj.illinois.gov/about-us/data-and-reports/annual-reports.html>. The 2016 report can be found at: <https://idjj.illinois.gov/content/dam/soi/en/web/idjj/site-assets/pages/data-and-reports/2016-annual-report.pdf>.

[8] In IDJJ's report, the recidivism rate is defined as "the percentage of youth released from an IDJJ facility who return to an IDJJ facility within three years of their release." The recidivism rate noted in the 2016 report, therefore, indicates the recidivism rate for youth who exited IDJJ facilities in 2013.

[9] IDJJ's 2021 report is available at: <https://idjj.illinois.gov/content/dam/soi/en/web/idjj/documents/idjj-2021-annual-report.pdf>.

[10] Given IDJJ's definition of recidivism, the 2021 recidivism rate reflects the data for youth who exited IDJJ facilities in 2018.



To begin the policy development process, IDJJ leadership invited all staff to participate, including those who were reluctant to change. First, they divided staff into workgroups to conduct initial research on best practices for working with youth. Staff had the opportunity to learn about the relevant literature and talk to staff from other jurisdictions who undertook similar LOS policy changes firsthand. Then, staff with concerns about these changes were tasked to develop sustainable, practical protocols that aligned with the research. While this process was more involved and took longer than the traditional top-down approach, staff were able to contribute to the reform efforts in a meaningful way and develop a sense of ownership and buy-in in the process.

In addition, IDJJ leaders anchored changes in their existing processes as much as possible, so the shift in policy felt less drastic. To ensure fidelity, technology and staff training played a significant role. IDJJ developed web-based platforms to host all LOS documents, so that staff can easily reference them at any time. There are automated notifications that prompt staff to respond in a timely and structured manner, and information-sharing across staff is made more convenient. In terms of training, IDJJ offered opportunities for staff to train across positions and facilities, and the leadership team devoted training time to listening to staff's input and discussing process changes.

Another key strategy in IDJJ's communications plan was to build in a beta testing period as part of the policy rollout agency-wide. During this time, staff received training on the new policies. Feedback from staff and preliminary data were tracked diligently and then used to construct the final policies.