

ADVANCED POLICY ANALYSIS

# Out-of-Home Placement in the San Francisco Juvenile Justice System

A Study Conducted for the San Francisco Juvenile Probation Department

by

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## Executive Summary

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Prepared for the San Francisco Juvenile Probation Department (SFJPD), this report evaluates out-of-home placement (OOHP) in San Francisco's juvenile justice system. OOHP is when a minor is removed from their home by the juvenile court and enters the foster care system. Youth can either be placed in a home-based setting with a resource family,<sup>1</sup> or in a congregate care setting in a short-term residential treatment facility (STRTP).<sup>2</sup> The goal of OOHP is to provide young people with an environment conducive to treatment and growth.

This report provides a comprehensive analysis of the available data on San Francisco youth who were in OOHP in 2019 and 2020 and offers recommendations for how SFJPD can address two challenges related to OOHPs, including (a) how to reduce the time young people spend in secure detention after they are ordered to OOHP by the court; and (b) how to increase the number of home-based placement options.

Data findings and recommendations are based on a combination of analysis of available data on the juvenile court and placement history of a sample of youth in OOHP, interviews with over twenty individuals with expertise on OOHP, and case studies of how other jurisdictions and departments have addressed OOHP challenges.

### Key Data Findings

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The following are key findings that emerged from analysis of available data on young people ordered to OOHP in 2019 and 2020.

- Youth in OOHP made up between 12 percent and 16 percent of all youth on probation at SFJPD in 2020. The number of young people in OOHP declined in 2020 following the onset of the COVID-19 pandemic.
- 95 percent of youth in OOHP are youth of color and 63 percent of them are Black, showing that racial disparities among youth in OOHP are more pronounced than disparities across all young people on probation.
- 45 percent of youth studied had a prior home removal through the child welfare system.
- Youth had high levels of involvement with the juvenile court including, on average, eight referrals, over five bookings in Juvenile Hall, nearly three sustained petitions, and nearly two OOHP dispositions.<sup>3</sup>

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<sup>1</sup> Formerly known as foster families.

<sup>2</sup> Formerly known as group homes.

<sup>3</sup> Referral: issued to a youth for allegedly committing a criminal act, like an arrest in the adult criminal justice system.

Sustained petition: a petition is a document filed with the juvenile court alleging that a minor has committed a criminal act.

Filing a petition formally begins the court process. A petition is sustained when a youth is found to have committed an offense.

Disposition: the juvenile court's decision about how a case will be handled after a petition is sustained, like the sentencing stage of an adult trial.

- The proportion of placements in home-based resource family settings increased over the course of 2020 as the number of young people in placement fell. However, the number of resource family placements stayed relatively constant at around ten. There was a similar trend in placement location, with most placements being outside of the Bay Area prior to the COVID-19 pandemic.
- Many young people run away from placement. Since January 1, 2019, 62 percent of the young people studied had run away from a placement at least once. AWOL rates were higher among girls than boys, although there were fewer girls in OOHP overall.

## Out-of-Home Placement Challenges

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### *Post-Disposition Time in Secure Detention*

Youth in San Francisco who are in Juvenile Hall on the date they are ordered to OOHP by the court, on average, spend 25 additional days in custody before they are released to a placement. Young people are still in custody during this post-disposition period because probation officers need time to match the youth with a placement. SFJPD should minimize the time young people spend in secure detention because juvenile detention infringes on the liberty of young people, leads to worse educational, employment, and health outcomes, and is an ineffective strategy at preventing future delinquency. **SFJPD needs a way to minimize the time youth spend in secure detention after receiving their OOHP disposition.**

### *Lack of Resource Family Placements*

Continuum of Care Reform, a California state law that transformed the foster care system, mandates that county placing agencies, including SFJPD, prioritize placing youth in home-based settings before considering congregate care options. Over the course of 2020, SFJPD greatly increased the proportion of youth who were in home-based placements with a resource family. However, there are limited resource family options available to youth. Currently SFJPD works with one non-relative resource family. All other resource families that host a youth are either relatives or kin. As a result, youth who do not have a relative or kin who can serve as a resource family, or require higher levels of care that cannot be accommodated in a relative or kin home, do not have the opportunity to be placed in a home-based setting. **SFJPD needs to recruit more non-relative resource families, including resource families who are certified to provide intensive services foster care (ISFC).<sup>4</sup>**

## Recommendations

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The following recommendations offer ways for SFJPD to address OOHP challenges.

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<sup>4</sup> Intensive Services Foster Care (ISFC) is a resource family care option for youth who need intensive treatment and behavioral support. Youth in ISFC homes receive a higher level of care and supervision. Resource parents who are certified to provide ISFC must undergo additional training, are paid more, and get more access to support and respite.

## ***Post-Disposition Time in Secure Detention***

1. SFJPD should secure at least 15 temporary placement beds, whether family-based, congregate care, or a combination, for youth awaiting an OOHP match.
2. Youth should be able to stay in temporary placements for up to 90 days, with the goal that most youth will stay for three weeks or less.
3. SFJPD should contract with a Foster Family Agency (FFA)<sup>5</sup> to create an emergency foster care program modeled after SFHSA's contract with Alternative Family Services. SFJPD should prioritize this option for youth who are exiting secure detention into a temporary placement.
4. SFJPD should acquire temporary placement beds in a local STRTP where youth can stay during the pre-placement period. This option should be used for youth who cannot be placed in an emergency resource family.
5. SFJPD should consider allowing for youth to complete their placement in a temporary placement if it is going well. Doing so will likely increase the capacity needs in temporary placements because some beds would be occupied for longer than two to four weeks.

## ***Lack of Resource Family Placements***

6. SFJPD should contract with an FFA to recruit and retain resource families. The FFA should help the department recruit non-relative, and ISFC certified resource families. The FFA should also provide supportive services to these resource families.
7. SFJPD should continue to refer youth who have experienced commercial sexual exploitation or are at risk to Family and Me. However, these youth will need a temporary placement option while they are matched with a resource family so that they do not remain in custody during the matching process.
8. SFJPD should designate a staff member to attend monthly Family and Me meetings to stay up to date on the progress of the program implementation.
9. SFJPD should encourage existing resource families to use the City's Mobile Response Team<sup>6</sup> as a source of support during crisis situations and to help prevent crises.

## ***Other Considerations***

10. SFJPD should engage in a collaborative and inclusive process to develop the program design and implementation plans for all new placement options recommended above. Voices of family and youth impacted by the juvenile justice system should be centered.

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<sup>5</sup> Foster Family Agencies (FFAs) are private organizations licensed by the state to support counties with placing young people who require more intensive care. FFAs recruit, certify, train, and support resource parents.

<sup>6</sup> All families with youth in the San Francisco juvenile justice system currently have access to 24/7 support through the Mobile Response Team run by Seneca Family of Agencies. The Mobile Response Team provides services to young people experiencing mental health crises or who require preventative care

## I. Introduction

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The San Francisco Juvenile Probation Department (SFJPD) is responsible for the supervision of youth in the county's juvenile justice system. Most minors on probation in San Francisco are on wardship, non-wardship, or informal probation, in which they live at home and are under supervision of probation officers. A small subset of youth on the department's caseload are in out-of-home placement (OOHP), a restrictive disposition in which a youth is removed from their home by the Court. Upon home removal, these young people enter the foster care system and can either be placed in home-based care with a resource family or in congregate care in a short-term residential treatment program (STRTP). Legally, youth can be ordered to OOHP through probation only if the Court finds that returning the child home would be "contrary to the child's welfare" (WIC Section 628). Often, a court makes this finding for one of two reasons: (1) if a youth poses a genuine risk to public safety and requires treatment that cannot be provided while they remain in their home, or (2) if their family home has been proven to be unsafe (Muhammad, 2019). The goal of OOHP is to create an environment that is appropriate to youth development, raising a child with the capacities to become a thriving adult (San Francisco Superior Court Judge, 2021).

SFJPD faces several challenges with OOHPs. This study offers recommendations for how the department can address two of those problems.

An additional purpose of this study is to help SFJPD understand the population of young people in OOHP in San Francisco from a data perspective. Analysis is provided on the demographics, juvenile court history, and OOHP history of a sample of youth who were ordered to OOHP in 2019 and 2020.

### Problem Definitions

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Youth in San Francisco who are in Juvenile Hall on the date they are ordered to OOHP by the Court, on average, spend 25 additional days in custody before they are released to a placement (Table 5). Young people are still in custody

### Glossary

**Referral:** Arrest of a youth for allegedly committing a criminal act. In San Francisco, the Crisis Assessment and Receiving Center (CARC), run by Huckleberry Youth Programs, is responsible for intake of youth after referral. At the time of referral, youth can be diverted from the system, be released conditionally upon their return for future processing by way of a citation, or they can be booked into Juvenile Hall.

**Petition:** The charging document filed with the juvenile court alleging that a minor has committed a criminal act. Filing a petition formally begins the court process. A petition is sustained when a youth is found to have committed an offense.

**Court disposition:** The juvenile court's decision about how a case will be handled after a petition is sustained. It is similar to the sentencing stage of an adult trial.

**Out-of-home placement (OOHP):** When a minor is removed from their home by the juvenile court. This is one disposition option available in delinquency proceedings.

**Resource family:** Foster family

**STRTP:** Short Term Residential Therapeutic Program. A residential congregate care facility for minors in the foster care system. Many facilities that were formerly called group homes have been recertified as STRTPs.

**Wardship:** When a minor is a ward of the court, the court takes over primary responsibility for the treatment and control of the young person.

(Definitions of Terms - Juvenile Probation and Court Processing, n.d.; Guide to Wardship - Being a Ward of the Court in the California Juvenile Justice System, n.d.)

during this post-disposition period because probation officers need time to match the youth with a placement (Supervising Probation Officer, 2021). SFJPD should minimize the time young people spend in secure detention because juvenile detention infringes on the liberty of young people, leads to worse educational, employment, and health outcomes, and is an ineffective strategy at preventing future delinquency (Eliminate Confinement as a Response to Probation Rule Violations, 2020).

**SFJPD needs a way to minimize the time youth spend in secure detention after receiving their OOHP disposition.**

Continuum of Care Reform, a California state law that transformed the foster care system, mandates that county placing agencies, including SFJPD, prioritize placing youth in home-based settings before considering congregate care options (Palacios & Desautels, 2021). Over the course of 2020, SFJPD greatly increased the proportion of youth who were in home-based placements with a resource family (Figure 10). However, there are limited resource family options available to youth at SFJPD. Currently SFJPD works with one non-relative resource family. All other resource families that host youth are either relatives or kin (Social Worker, 2021). As a result, youth who do not have a relative or kin who can serve as a resource family or require higher levels of care that cannot be accommodated in a relative or kin home, do not have the opportunity to be placed in a home-based setting. **SFJPD needs to recruit more non-relative resource families, including resource families who are certified to provide intensive services foster care.**

## Opportunity for Change

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The City and County of San Francisco has committed to making broad changes to the juvenile justice system. This includes the closure of Juvenile Hall through a collaborative process centering the voices of youth, families, and the community. SFJPD is committed to this process and to supporting the City's alternative to Juvenile Hall.

Furthermore, SFJPD has set aside \$2.9 million in their budget to contract with a community-based organization(s) to create a community-based residential program for youth who would otherwise be detained in Juvenile Hall while awaiting OOHP (Chief Probation Officer Miller, 2020). This report analyzes the efficacy of a community-based residential facility as well as other strategies for reducing post-disposition time in secure detention.

As the City reimagines its response to youthful misbehavior, it is a good time to make changes to the landscape of placement options available to youth in OOHP.

## II. Methodology

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This study uses a mixed methods approach to understand and weigh possible ways to address some of the out-of-home placement (OOHP) challenges faced by SFJPD.

- **Data Analysis:** Analyzed SFJPD data on juvenile court history of youth with OOHP dispositions, California Department of Social Services data on placement history for these young people, and SFJPD monthly data on youth in OOHP in 2020 (Augustus Database on Juvenile Court History, 2021; CWS/CMS Database, 2021; OOHP Monthly Statistics, 2021).



- **Stakeholder Interviews:** Interviewed over twenty individuals with expertise in OOHP including probation officers, a juvenile court judge, community advocates, Foster Family Agency staff, child welfare agency staff, child development experts, and mental health providers.
- **Literature Review & Best Practices Research:** Compiled research on juvenile detention and OOHP in the probation context, as well as best practices research on promising approaches in other jurisdictions to inform analysis.

This study is limited because no interviews were conducted with young people with direct experience in OOHP or their family members. Ultimately, any decision on how to move forward with OOHP options should be consistent with the needs identified by young people and their families.

### III. The Role of Out-of-Home Placement in the San Francisco Juvenile Justice System

The juvenile justice system has three goals: (1) to provide treatment and guidance to minors with the goal of rehabilitation, (2) to hold young people accountable for their behavior, and (3) to ensure community safety. There is a contradiction between the control and autonomy required to meet the system’s objectives. On the one hand, control is seen as necessary to hold young people accountable for their actions and keep the community safe. On the other hand, adolescents need space to learn and grow from their mistakes. However, higher levels of control, such as detention, have been found to lead to more delinquent behavior and worse educational outcome (Lipsey, 2009).

Nationally, there has been a dramatic decrease in the number of adolescents on probation since the 1990s. There appear to be two reasons for this decrease: (1) the amount of juvenile crime has decreased over time, and (2) juvenile justice systems have implemented diversion strategies to decrease the number of young people on probation and in detention because of the growing evidence on the harms of probation and detention (Tucker & Palomino, 2019). There has also been a parallel decrease in the number of young people in juvenile detention and in residential facilities (Gass, 2015).

After falling 67% since 2006, the number of juvenile arrests reached a new low in 2019



(Puzzanchera, 2020)

In addition to diversion, which reduces the number of young people who ever enter probation, the juvenile justice system in California requires that Juvenile Courts use a continuum of responses to delinquent behavior that is proportional to the seriousness of the offense and the public safety risk

of each youth (Overview of the Juvenile Justice System in California, 2019). Courts are required to consider the least restrictive disposition before moving to more restrictive options with the goal of limiting youth contact with the juvenile justice system to the greatest extent possible. The continuum of dispositions available to the San Francisco Juvenile Court ranges from informal probation at the least restrictive end to secure detention at the most restrictive end.<sup>7</sup> San Francisco commits very few young people to secure detention in the Department of Juvenile Justice (DJJ), the state youth prison. As of January 31, 2021, there were only two individuals in DJJ who were referred by the San Francisco Court, both of whom are over 18 years old (Monthly Statistics Through January 2021, 2021). Out-of-home placement (OOHP) is the most restrictive disposition that is commonly used by the San Francisco Juvenile Court. Table 1 includes a simplified list of the continuum of disposition options available to the Court. This report focuses on OOHP.

**Table 1. Continuum of Dispositions Available to San Francisco Juvenile Court**

Restriction level (low – high)	Disposition
1	Informal Probation
2	Formal Probation
3	Out-of-Home Placement
4	<del>Commitment to Log Cabin Ranch</del> <i>(Closed in 2018. San Francisco can send youth to camps in other counties.)</i>
5	<del>Commitment to the Division of Juvenile Justice</del> <i>(Will stop accepting youth in July 2021. San Francisco is currently in the process of developing an alternative secure facility.)</i>

## Child Welfare System Overlap

A child or youth can also be removed from their home by a Juvenile Court through the child welfare system. Child welfare system removals occur when a Court finds that a youth’s parents have abused or neglected them. Youth who are removed from their home in the child welfare system are referred to as “dependent” youth, while youth who are removed from their home through the juvenile justice system are called “delinquent” youth. Dependent youth also enter OOHP and have the same placement options as delinquent youth (Overview of the Foster Care System in California, 2016).

Many young people who are referred to the Court through the juvenile justice system have had prior involvement in the child welfare system. Estimates in various counties around the country indicated that between one half to three-quarters of justice-involved youth had been in both systems (Dual Status Youth Data Standards (AB 1911), 2017). In San Francisco, 45 percent of probation youth in OOHP in the studied sample had a prior home removal through child welfare (Figure 7).

<sup>7</sup> San Francisco used to have two additional more restrictive disposition options for youth with the most serious offenses: The Division of Juvenile Justice, the youth prison system run by the State of California, and Log Cabin Ranch, the county’s corrections camp. The Division of Juvenile Justice will stop accepting youth in July 2021 and Log Cabin Ranch closed in 2018. Technically, SFJPD could still send youth to detention camps in other counties.

Under California law, by default a youth cannot have an open case in the child welfare system and in the juvenile justice system. After the passage of Assembly Bill 129 in 2005, counties could opt-in to become dual jurisdictions, where a youth can have cases open in both systems. As of 2017, 18 of the 58 California counties were dual jurisdictions. San Francisco is not one of them, so when a youth becomes a ward of the court through the juvenile justice system in San Francisco, their child welfare case is closed (Dual Status Youth Data Standards (AB 1911), 2017).

## Continuum of Care Reform

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The State of California experienced a major overhaul in the foster care system, which covers youth in OOHP in the child welfare and juvenile justice systems, with the 2017 implementation of Continuum of Care Reform (CCR). The goal of CCR was to keep children with their families, and when that is not possible, to reduce reliance on congregate care and increase the capacity of home-based family care (California's Child Welfare Continuum of Care Reform, 2015). Evidence showing that foster children in congregate care settings had more justice-system involvement and worse educational outcomes compared to children in home care served as the impetus for this policy change.

Under CCR, families who were formerly called “foster families” are now called “resource families.” Compared to the approval process prior to CCR, all resource families, including relative resource families, must undergo a more extensive approval process to serve as home-based caregivers for children in the foster care system. They must undergo a background check, a comprehensive home visit, a psycho-social evaluation, and attend 12 hours of training. The goal of the new process is to improve the experience of youth in home-based care by improving the quality of parenting. CCR also provided additional funding for resource family recruitment, training, and retention.

Oftentimes, child welfare agencies and probation departments will work with Foster Family Agencies (FFA) to recruit, support, and retain resource families. FFAs are private organizations licensed by the state to support counties with placing young people who require more intensive care. FFAs recruit, certify, train, and support resource parents. FFAs can offer both intensive foster care homes, including intensive services foster care (ISFC) or therapeutic foster care (TPC), or non-treatment foster home, which do not provide intensive treatment services (Foster Family Agencies, n.d.).

CCR also restructured the congregate care placement system from the Group Home model to the Short-Term Residential Treatment Program (STRTP) model. The role of STRTPs along the continuum of care is to provide intensive, high quality care for a short period of time to prepare youth to return to a home-based setting. STRTPs must provide a set of “core services,” which include mental health services, to be licensed by the state (Short-Term Residential Therapeutic Program Interim Licensing Standards, 2020). Now, when a youth is placed in congregate care, their stay should be short-term with a specific care plan and intensive treatment in order to return the youth to their family or a home-based setting quickly and safely. STRTP placements must be reviewed every six months (California's Child Welfare Continuum of Care Reform, 2015).

Under the principles of CCR, probation departments and child welfare agencies are required by law to attempt to identify a resource family for every youth and exhaust all home care options before

sending a young person to an STRTP group care placement. The goal is to minimize the number of foster youth in congregate care placements (Palacios & Desautels, 2021). However, the California Department of Social Services reported that in the first quarter of 2020, statewide only 11 percent of probation youth in the foster care system were in resource family homes, while 76 percent of youth in the child welfare system were in resource family homes (Continuum of Care Reform Dashboard, 2020). Probation departments across California have struggled to increase the number of home-based placements.

## Out-of-Home Placement Options

Within the category of OOHP, there is a continuum of placement options from least restrictive to most restrictive. The least restrictive OOHP is placement with a relative resource family and the most restrictive is placement in an STRTP outside of San Francisco.<sup>8</sup> While a Juvenile Court Judge is responsible for making a disposition determination, probation officers at SFJPD are often responsible for matching youth with a specific placement option. Sometimes, the Court recommends a specific placement, such as a resource family placement or placement in a specific STRTP. The Court can also require SFJPD to present placement options to the court for approval before a young person can be officially placed (Supervising Probation Officer, 2021). Table 2 includes the continuum of OOHP options available to SFJPD.

**Table 2. Continuum of OOHP options available to SFJPD.**

Restriction level (low – high)	Out-of-Home Placement Options
1	Relative or Kin Resource Family
2	Non-Relative Resource Family*
3	Intensive Service Foster Care*
4	STRTP placement in San Francisco
5	STRTP placement outside San Francisco
6	<del>STRTP placement outside California</del> (decertified December 2020)

\*SFJPD currently works with only one non-relative resource family and does not use intensive services foster care.

## IV. Data Analysis Findings

The following section includes data analysis findings on the size and demographics of the out-of-home placement (OOHP) population in the San Francisco juvenile justice system. It also includes findings on the San Francisco Juvenile Court histories of these individuals and their placement histories. This analysis uses Juvenile Court data compiled by SFJPD, placement data reported to the California Department of Social Services, and monthly out-of-home placement data collected by

<sup>8</sup> Prior to January 2021, SFJPD also had the option to send youth to STRTPs outside of California, but these STRTPs were decertified by the state in December 2020.

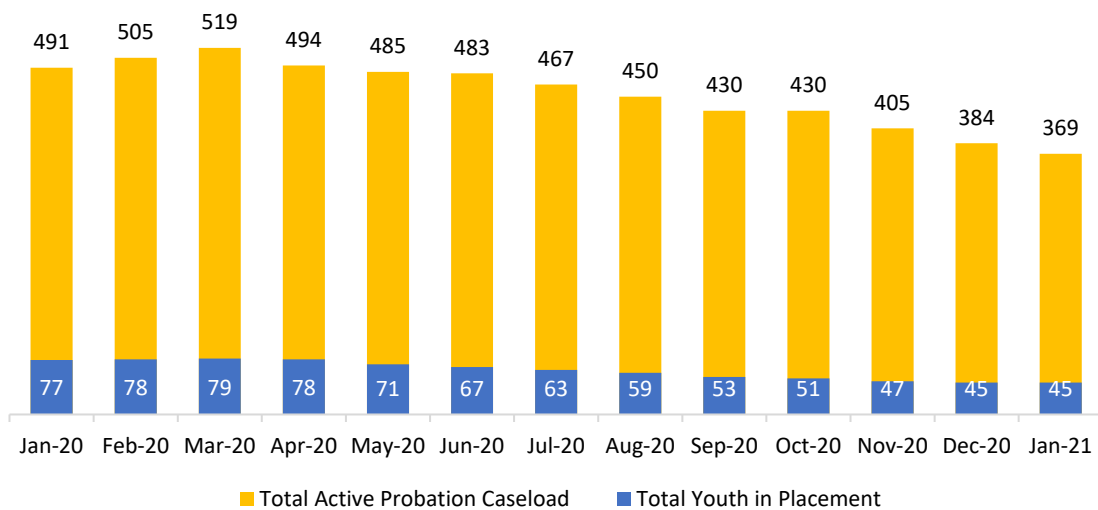
SFJPD. The data do not account for any Juvenile Court involvement young people had in other counties.

## Scope

A small portion of young people on probation in San Francisco are in OOHP. In January 2020, there were 77 young people in OOHP, making up 16 percent of SFJPD’s total active caseload. During the COVID-19 pandemic, the number of young people in OOHP decreased, both due to lower instances of juvenile crime during shelter in place, and due to an effort to move young people out of congregate care settings for safety reasons (Supervising Probation Officer, 2021). In January 2021, there were 45 young people in OOHP, only 12 percent of the SFJPD’s total active caseload (Figure 1). The numbers from January 2020 are more representative of the status quo OOHP caseload.

**Figure 1. Youth in OOHP as a proportion of the total active probation caseload.**

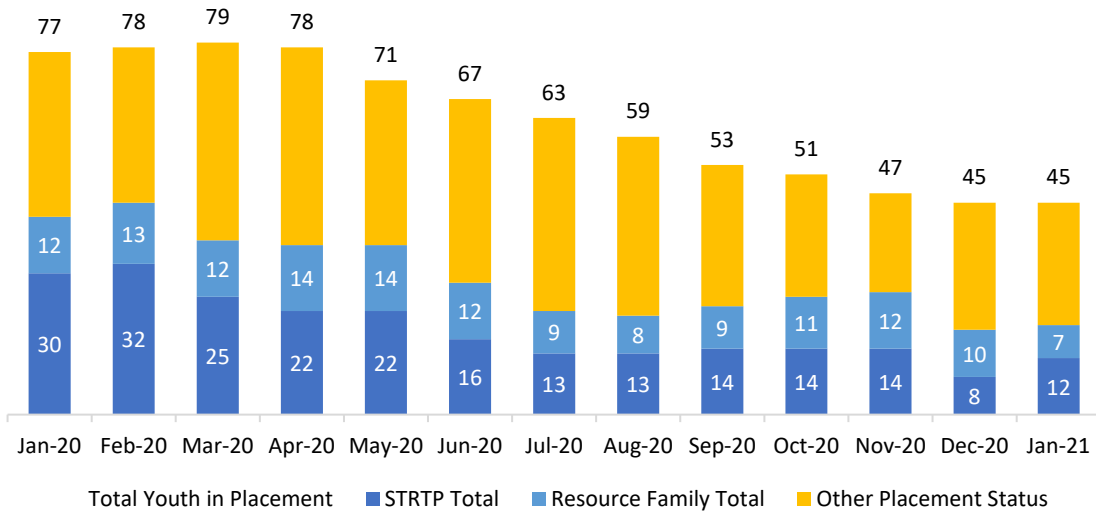
Last day of month point-in-time counts, January 2020 – January 2021



Source: SFJPD Monthly Statistics January 2021

This study focuses on minors who are in STRTP or resource family placements because these are the primary placement options available in the foster care system for minors. Of the 77 individuals in SFJPD’s OOHP caseload at the end of each month, only 42 of them were in an STRTP or a resource family home in January 2020. The remaining youth were in the pre-disposition, pre-placement, or pre-adjudication stages, AWOL, on a home trial, in a transitional housing program, or in county jail on an adult criminal complaint. By January 2021, only 19 of the 42 young people in OOHP were in an STRTP or a resource family home (Figure 2).

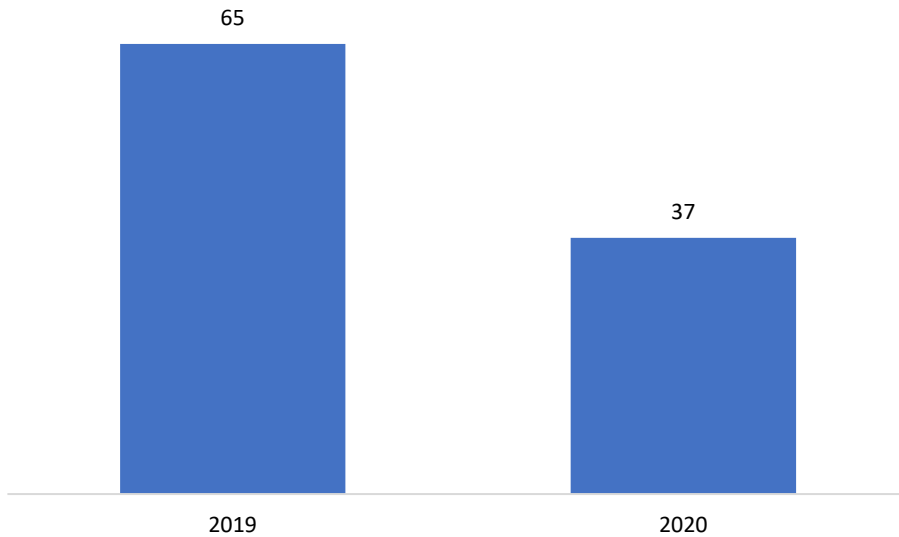
**Figure 2. Youth in STRTPs and resource families as a proportion of total youth in OOHP.**  
 Last day of month point-in-time counts, January 2020 – January 2021



Source: SFJPD Monthly Statistics January 2021

The San Francisco Juvenile Court also ordered fewer youth to OOHP in 2020 compared to 2019 (Figure 3). In 2019, 65 young people had at least one OOHP disposition. Nine youth had more than one OOHP disposition that year. In 2020, only 37 young people had at least one OOHP disposition, while six youth had more than one.

**Figure 3. Youth with at least one OOHP disposition in 2019 and 2020.**  
 All youth with OOHP dispositions January 1, 2019 – March 8, 2021, N = 92



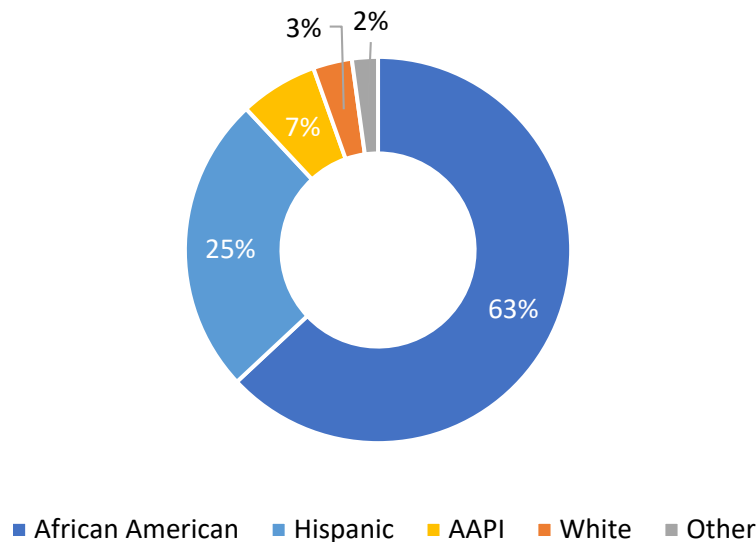
Source: SFJPD Augustus Database on Juvenile Court History

## Demographics

There are dramatic racial disparities in the OOHP population in San Francisco. Ninety five percent of all young people with OOHP dispositions since January 2019 are youth of color. Figure 4 shows that 63 percent of young people with OOHP dispositions are Black. Black youth are overrepresented in OOHP compared to the overall probation population, which is 51 percent Black. These racial disparities are striking considering that, as of 2020, only 5.5 percent of youth in San Francisco identified as Black (Child Population, by Race/Ethnicity, 2020). These data demonstrate that racial equity, including a goal to reduce racial disparities, must be at the center of all decisions regarding OOHP and juvenile probation more broadly.

**Figure 4. Youth with OOHP dispositions by race / ethnicity.**

All youth with OOHP dispositions January 1, 2019 – March 8, 2021, N = 92



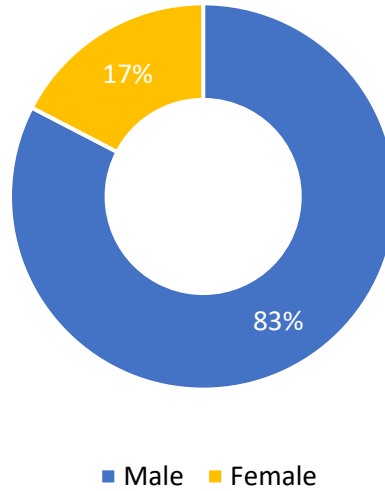
Source: SFJPD Augustus Database on Juvenile Court History

Youth of color are also overrepresented in the county's child welfare system. Most of the children served by the San Francisco Human Services Agency Family and Children's Services Division, which manages the county's child welfare program, are Black (43 percent) and Latinx (32 percent) (Racial Equity Action Plan 2021-2023, 2021). Black youth are even more overrepresented in probation and in OOHP than in the county's child welfare system.

Most young people ordered to OOHP are boys. Over 80 percent of the young people in the sample are boys. This is consistent with the gender demographics of all youth on SFJPD's active caseload as of January 31, 2021 (Figure 5). On that date, 76 percent of young people with an active probation case were boys.

**Figure 5. Youth with OOHP dispositions by gender.**

All youth with OOHP dispositions January 1, 2019 – March 8, 2021, N = 92



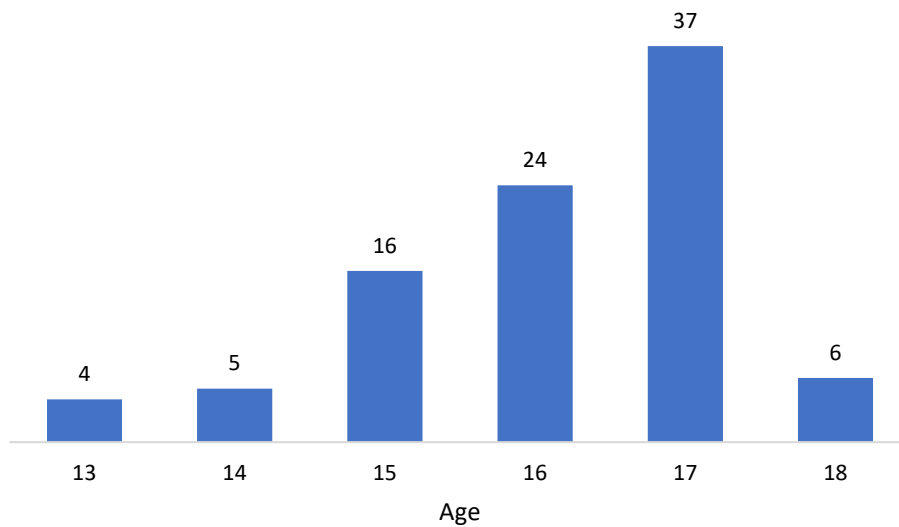
Source: SFJPD Augustus Database on Juvenile Court History

SFJPD's Augustus Database did not appear to include transgender or gender non-conforming as gender options.

California law sets the minimum age for delinquency adjudication at 12 years old, except for certain egregious offenses (Minimum Age for Delinquency Adjudication - Multi-Jurisdiction Survey, 2020). Most youth in the OOHP population are older teens. Many young people are 17 on their OOHP disposition date and some are nonminors (Figure 6).

**Figure 6. Age on disposition date for most recent OOHP.**

All youth with OOHP dispositions January 1, 2019 – March 8, 2021, N = 92



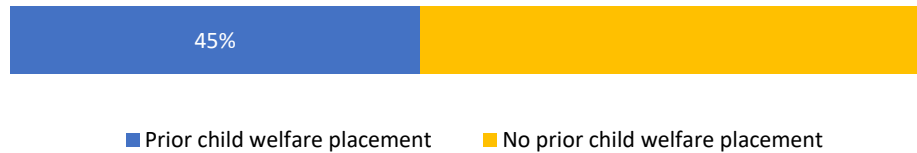
Source: SFJPD Augustus Database on Juvenile Court History



A high proportion of youth in OOHP through juvenile probation have also experienced a home removal through the child welfare system (Figure 7).

**Figure 7. Proportion of youth with a prior placement through child welfare.**

All youth with OOHP dispositions January 1, 2019 – March 8, 2021 who overlapped with CWS/CMS data, N = 74



Source: CWS/CMS Database 2021

## Juvenile Court History

OOHP is a disposition that should be used only for young people who have committed serious offenses, multiple repeated offenses, or have an unsafe family home. Data on the full juvenile court history of 92 young people who had OOHP dispositions in 2019 and 2020 show that these young people had a median of eight referrals each (including referrals for new offenses and for probation violations), were booked into Juvenile Hall five times on average, and had a median of nearly 3 sustained petitions. It is also notable that all youth had at least one sustained petition for a 707b offense.<sup>9</sup> On average, these young people had nearly two OOHP dispositions during their history in the San Francisco juvenile justice system (Table 3).

**Table 3. Juvenile court history.**

All youth with OOHP dispositions January 1, 2019 – March 8, 2021

	Mean	Min	25th Pct.	Median	75th Pct.	Max	N
Referrals per youth*	8	1	4	6	12	24	92
Referrals with at least one 707b offense	2.8	0	1	2	4	10	92
Juvenile Hall bookings per youth	5.4	1	3	5	7	15	89**
Average days in Juvenile Hall per booking per youth	38	5	19	30	42	541	89**
Sustained petitions per youth	2.7	1	1	2	3	8	92
Sustained petitions with a 707b charge per youth	1.3	0	1	1	2	5	92
OOHP dispositions per youth	1.7	1	1	1	2	7	92

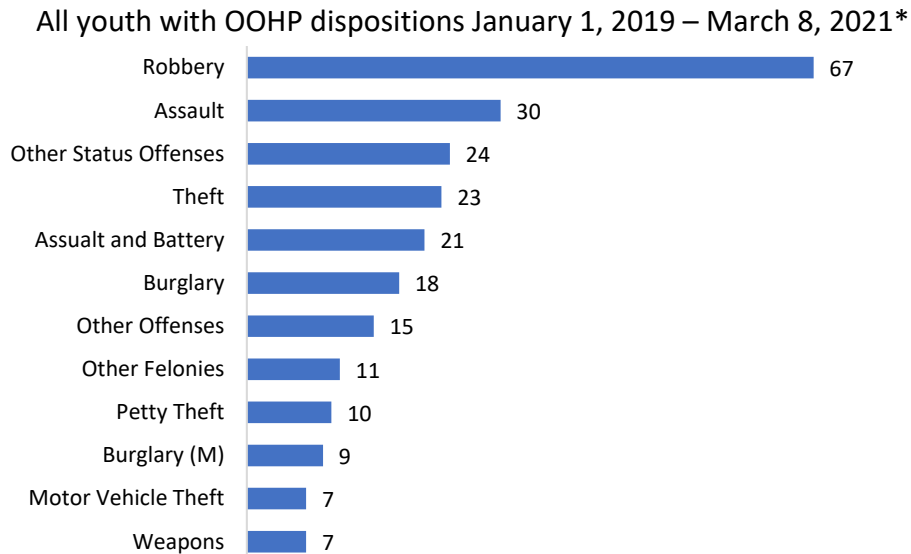
\* All referrals, including those for probation violations. \*\* Two of 92 youth were never booked into Juvenile Hall.

Source: SFJPD Augustus Database on Juvenile Court History

<sup>9</sup> A 707b offense is a serious offense that is listed in Welfare and Institutions Code 707(b). Some 707(b) offenses include killing, raping, kidnapping, and some offenses involving drugs or weapons. These offenses can be transferred to adult court in some circumstances (WIC Section 707(b)).

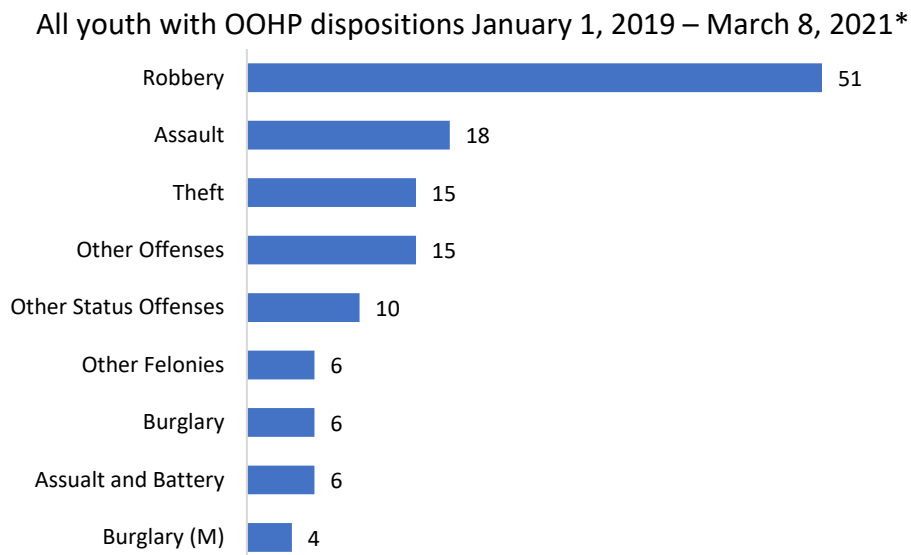
An investigation of all offenses that were associated with all sustained petitions for the sample, show that robbery was the most common offense, with assault, status offenses, theft, and assault and battery also common (Figure 8). Looking specifically at the offenses that led to an OOHP disposition, robbery was again the most common offense, with assault and theft also common (Figure 9).

**Figure 8. Offenses for all sustained petitions.**



Source: SFJPD Augustus Database on Juvenile Court History and California Policy Lab Crime Crosswalk

**Figure 9. Offenses associated with OOHP dispositions**



Source: SFJPD Augustus Database on Juvenile Court History and California Policy Lab Crime Crosswalk

\*These offense categories were generated using California Policy Lab’s crime crosswalk dataset. Sustained petitions that are associated with OOHP dispositions often have multiple charges. To summarize the severity of offenses associated with each disposition, only the most serious charge on each petition was used. All offenses that had under four sustained petitions, were grouped together into “other offenses.”

The purpose of this report is not to evaluate whether the Court should have ordered OOHP when resolving these matters. However, the ten status offenses that led to OOHP are cause for pause (Figure 9). Probation violations generally should not result in a home removal. Notably, six of the ten OOHP dispositions associated with a status offense occurred before 2019. A deeper dive into data on the juvenile justice history for the nine youth who were ordered to OOHP on a status offense sheds some light on why the Court may have determined that a home removal was necessary.

- All nine young people had at least one sustained petition with the Court prior to their sustained petition for a status offense, and seven of them had two or more.
- The offenses associated with prior sustained petitions were serious and included at least one of the following: assault, burglary, robbery, weapons offenses, or assault and battery.
- Six youth had at least one 707b offense prior to the status offense that led to OOHP.
- All youth also had other dispositions prior to their OOHP disposition on the status offense petition, three youth had over five prior dispositions on the petition.

Based on this deeper look into data for these individuals, the four cases in which youth were removed from their home when they had no prior 707b offense and only one prior sustained petition for a non-status offense stand out as the cases where OOHP could have most feasibly been avoided. However, without access to the full case file for each individual, it is difficult to tell.

## Placement History

In addition to understanding the number of OOHP dispositions, it is important to consider the number of individual placements a youth has been in. A young person may end up in multiple placements under one OOHP disposition for a variety of reasons. Since January 1, 2019 youth have been in an average of 2.4 placements over the course of the year (Table 4). However, there are some potential issues with this statistic, and it is possible that the true average number of placements is slightly higher or lower in the sample.

**Table 4. Number of STRTP or resource family placements per youth since January 1, 2019**  
All youth with OOHP dispositions January 1, 2019 – March 8, 2021 who overlapped with CWS/CMS data or SFJPD OOHP Monthly Statistics

	Mean	Min	25th Pct.	Median	75th Pct.	Max	N
Placements per youth since January 1, 2019*	2.4	1	1	2	3	6	83**

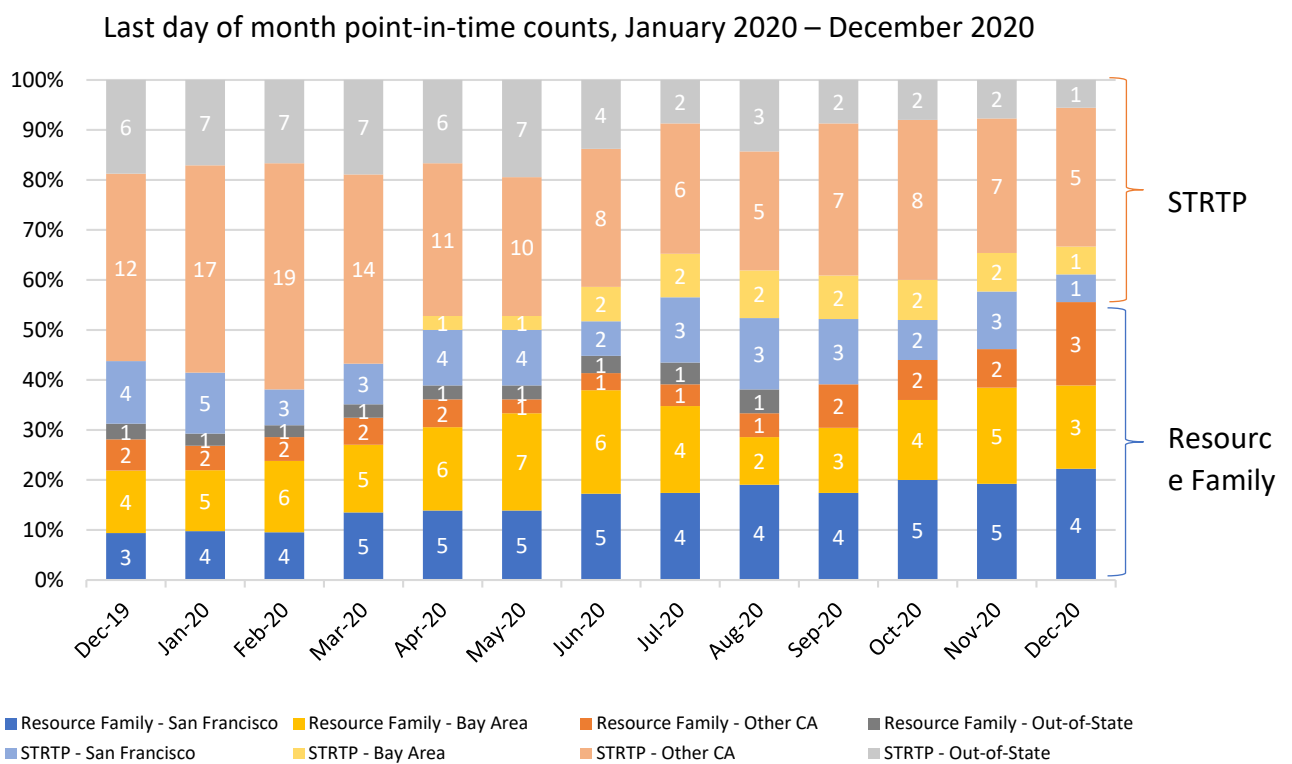
\*Not all resource family placements are recorded in CWS/CMS data, so placements per youth are likely an undercount. However, it was also difficult to identify which placements were recorded in both CWS/CMS and SFJPD Monthly Statistics. There is a possibility that some placements were double counted, meaning this could also be an overestimate.

\*\* Nine of 92 youth were not in CWS/CMS data or SFJPD monthly OOHP data. These were most likely youth who had an OOHP disposition in early 2019 and exited placement before December 2019 when SFJPD monthly OOHP data collection began. Source: CWS/CMS Data 2021 and SFJPD OOHP Monthly Statistics (December 2019 – December 2020)

Figure 10 shows the types of placements (STRTP or resource family) that young people were in on the last day of each month in 2020. The brighter shades represent resource family placements, and the lighter shades represent STRTP placements. While the number of total placements declined over the course of 2020, likely due to the COVID-19 pandemic, the proportion of all placements that were with resource families increased. It appears that the number of resource family placements was rather stable over the course of the year, while STRTP placements decreased in the second half of the year.

Figure 10 also shows the location of placements. Each color represents a placement location. Most resource family placements were either in San Francisco or another Bay Area county. Among STRTP placements, most were outside the Bay Area.

**Figure 10. Placements by type and location in 2020.**



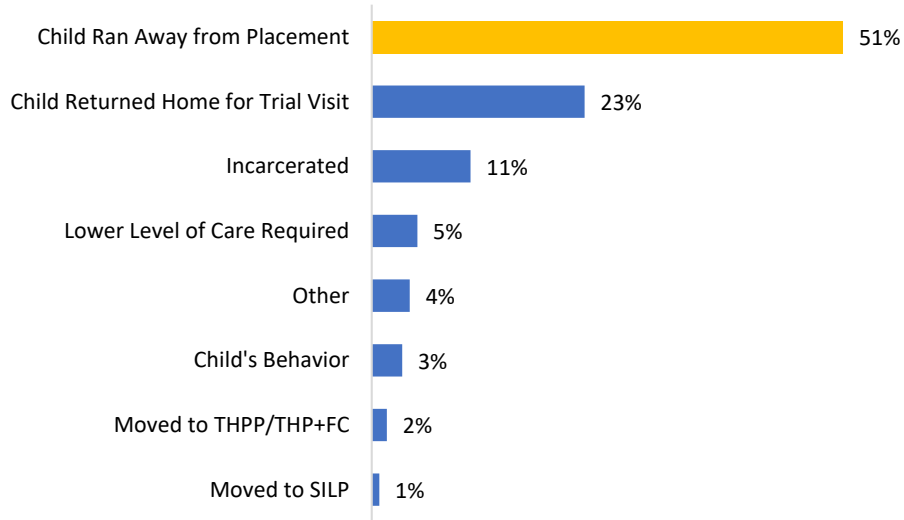
Source: SFJPD Monthly Statistics January 2021

## AWOLs

Many OOHPs for youth in San Francisco’s juvenile justice system end with a young person running away from placement, which is referred to as going AWOL. Among probation placements recorded in the CWS/CMS data since January 1, 2019 for the sample population studied, 51 percent of them ended in an AWOL. However, not all placements ended in failure. Twenty-eight percent of placements ended with a child returning home for a trial visit or being moved to a lower level of care (Figure 11).

**Figure 11. Reasons placements ended.**

All probation placements after January 1, 2019 for youth who had an OOHP disposition between January 1, 2019 and March 8, 2021 and who were in CWS/CMS data, N = 59 youth



Source: CWS/CMS Data 2021

Among the 58 youth who had probation placements recorded in the CWS/CMS data and had an OOHP disposition since January 1, 2019, 62 percent of them went AWOL at least once since January 1, 2019. While girls make up a much smaller proportion of all placements, AWOLs were more common among girls. Fifty-five percent of boys went AWOL at least once, while 81 percent of girls went AWOL at least once (Figure 12).

**Figure 12. Proportion of youth went AWOL at least once, overall and by gender.**

All probation placements since January 1, 2019 in CWS/CMS data, N= 58 youth

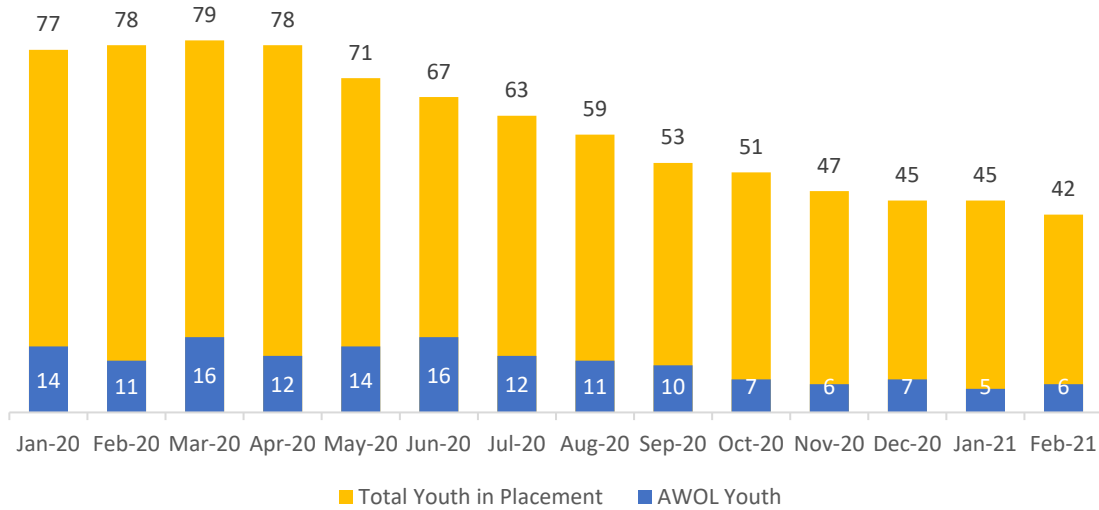


Source: CWS/CMS Data 2021

SFJPD monthly point-in-time statistics for 2020 show that on the last day of each month between six and 16 youth were AWOL. At its peak in June 2020, AWOL youth made up 24 percent of all youth on SFJPD’s OOHP caseload (Figure 13).

**Figure 13. Proportion of total OOHP caseload who are AWOL in 2020.**

Last day of month point-in-time counts, January 2020 – February 2021



Source: SFJPD Monthly Statistics January 2021

An SFJPD analysis of AWOL rates for youth in STRTP placements between January 1, 2019 and July 31, 2020 by STRTP program reveals that the weighted average AWOL rate for San Francisco youth across programs was 57 percent. Excluding placements in out-of-state STRTPs, which are no longer an option, the weighted average AWOL rate was 61 percent (Figure 14).

**Figure 14. Average AWOL rate across all in-state STRTPs.**

All in-state STRTP placements between January 1, 2019 and July 31, 2020.



Including out-of-state placements, which are no longer allowed, the average STRTP AWOL rate was 57 percent.

Source: SFJPD AWOL Analysis, January 1, 2019 – July 31, 2020

When a young person goes AWOL, a warrant may be issued for their arrest if SFJPD can not determine their whereabouts. SFJPD attempts to maintain communication with the young person and their family. Young people often run away from placement to their family home or to stay with a relative. It is also common for older youth to go and stay with a significant other. Ideally, a young

person will return from an AWOL episode on their own. However, it is also possible for youth to be returned to custody through an arrest (Supervising Probation Officer, 2021).

AWOLs are problematic for multiple reasons. First, youth are rarely involved in services or attend school while AWOL. This sets their rehabilitation back. It also becomes harder to find placements that will accept youth with AWOL histories. STRTPs are more reluctant to accept young people with a history of going AWOL because AWOLs are disruptive to other youth in the program who may be doing well (Supervising Probation Officer, 2021). AWOLs can also pose a safety risk for the youth. For example, it is common for youth with experience with commercial sexual exploitation to run away from placement back to their abuser, which puts them in a dangerous situation (Castro Rodriguez, 2021).

From a trauma perspective, high AWOL rates among youth in placement make some sense. Running away from a situation perceived as punitive or unsafe may be an understandable trauma response for many young people in this population and a healthy survival mechanism. Youth often run away from their placement back home or to someone who they perceive as safe (Castro Rodriguez, 2021).

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## V. Out-of-Home Placement Challenges

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### Post-Disposition Time in Secure Detention

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Youth with out-of-home placement (OOHP) dispositions often spend additional time in Juvenile Hall after their disposition hearing waiting to be matched with a placement. Juvenile detention can lead to worse health, education, and employment outcomes for young people in the long term. Juvenile detention is also an ineffective strategy at deterring future delinquency (Eliminate Confinement as a Response to Probation Rule Violations, 2020). In order to limit the amount of time young people spend in secure detention, SFJPD needs a place to send young people after they have received an OOHP disposition or possibly earlier.

It typically takes about two to four weeks for probation officers to identify a placement match for each youth after their disposition hearing. Probation officers first attempt to identify a family member or kin who can serve as a resource parent. If SFJPD does identify someone to serve as a resource parent, the department must do a preliminary background check and home visit before sending the youth into the home. This process is typically completed in two days from the date of the referral. Young people can stay in a resource family home while the resource parent is undergoing the approval process if the initial background check and home assessment are complete (Social Worker, 2021).

If SFJPD cannot identify a resource family home for the youth or it is determined that a resource family placement is not an appropriate option, the Placement Unit will match the youth with an STRTP. Within the Placement Unit, each probation officer is an expert on a set of STRTPs. The Placement Unit considers the youth's physical and mental health needs, language needs, school needs, prior history of AWOLs, whether the youth is a parent or expecting parent, substance use, history of violence, and which other youth are already in that placement in selecting an STRTP. A

probation officer will then send a young person’s placement packet to STRTPs to review, and the agency will let SFJPD know if they are willing to interview the youth. If the young person agrees to participate in an interview, is accepted, and agrees attend the placement, they will be transported to the STRTP to begin placement (Supervising Probation Officer, 2021). The Placement Unit often starts the placement process before a youth is committed to placement at a Child and Family Team (CFT) meeting. This helps young people be released earlier from Juvenile Hall and to start their placement and treatment (Former Supervising Probation Officer, 2021).

### **How Much Time Does it Take to Match Youth Post-Disposition?**

Among youth ordered to OOHP in 2019 and 2020, on average, youth spent 25 days in custody after their disposition date. This includes all juvenile hall stays between 2019 and 2020 and those in earlier years when these young people had OOHP dispositions. The data show that 52 out of the 92 youth in the sample were in custody on their disposition date. It appears that over 40 percent of youth in the sample were not in custody at the time of their disposition (Table 5).

**Table 5. Days in Juvenile Hall after OOHP disposition**  
All youth with OOHP dispositions January 1, 2019 – March 8, 2021

	Mean	Min	25th Pct.	Median	75th Pct.	Max	N
Days in Juvenile Hall after OOHP disposition	25	0	9	22	32	118	52*

\* Forty of 92 youth were not in Juvenile Hall on their disposition date.  
Source: SFJPD Augustus Database on Juvenile Court History

While on average, youth are transported to placement within three weeks of their disposition, there are some outlier situations when youth spend much more time in Juvenile Hall. In the 2019-2020 sample, there were 20 individuals who waited over 32 days in custody after their disposition date, in the top 25 percent of the distribution. Youth are in custody for longer for a few reasons. Sometimes it is because youth refuse to participate in placement interviews or refuse to go to placement. More youth have been refusing to go to placement in 2020 compared to prior years (Juvenile Hall Director, 2021). Sometimes STRTPs do not accept youth with certain histories. Youth with many past AWOLs or youth who have graduated from high school or have a GED tend to be more difficult to match with placements.<sup>10</sup> Among the 20 young people in the sample who waited over 32 days in custody for their placement match, there were no clear trends in offense type, age, or number of OOHP dispositions that were distinct from the overall sample.

<sup>10</sup> It can be harder to place youth who have a GED or already graduated from high school because programming at STRTPs often centers around school. If youth are no longer in school, there are fewer activities for them to participate in throughout the day.

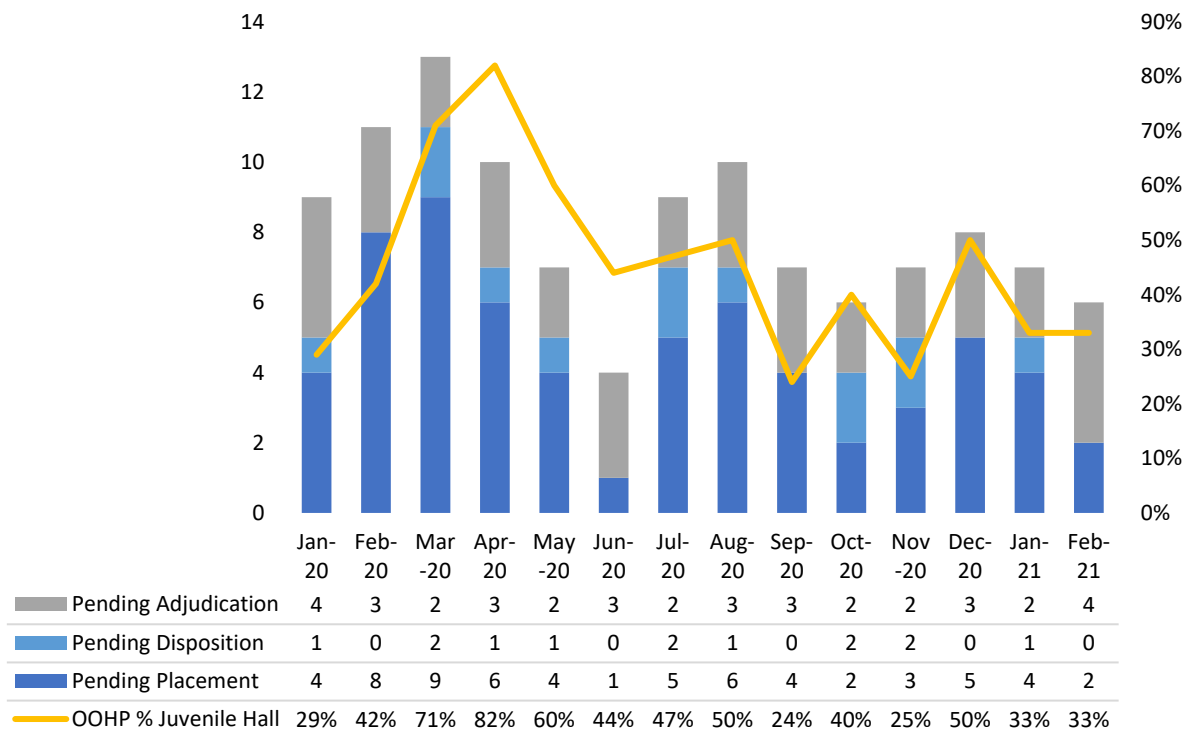


## How Many Youth are in Juvenile Hall Awaiting Placement on a Typical Day?

At any given time, the number of young people in this situation is small. Between January 2020 and February 2021, the number of young people waiting for placement post-adjudication in Juvenile Hall ranged from one at the end of June 2020 to nine at the end of March 2020. Including youth who were at earlier stages in the court process, awaiting adjudication and pending disposition, the total OOHP youth in the Hall reached a high of eleven in March 2020 and a low of four in June, September, October, and November 2020, and February 2021. During all months in that timeframe, OOHP youth made up at least 29 percent of all youth in Juvenile Hall. In April 2020, OOHP youth made up 82 percent of all youth in Juvenile Hall (Figure 15). This suggests that moving young people who are ordered to OOHP out of secure detention more quickly would significantly reduce the monthly Juvenile Hall population. However, it is important to point out that during the COVID-19 pandemic, the Juvenile Hall population has been exceptionally small, so the number of OOHP youth and total youth in Juvenile Hall reported above is likely lower than the average in recent years.

**Figure 15. Pre-placement youth in Juvenile Hall in 2020.**

Last day of month point-in-time counts, January 2020 – February 2021

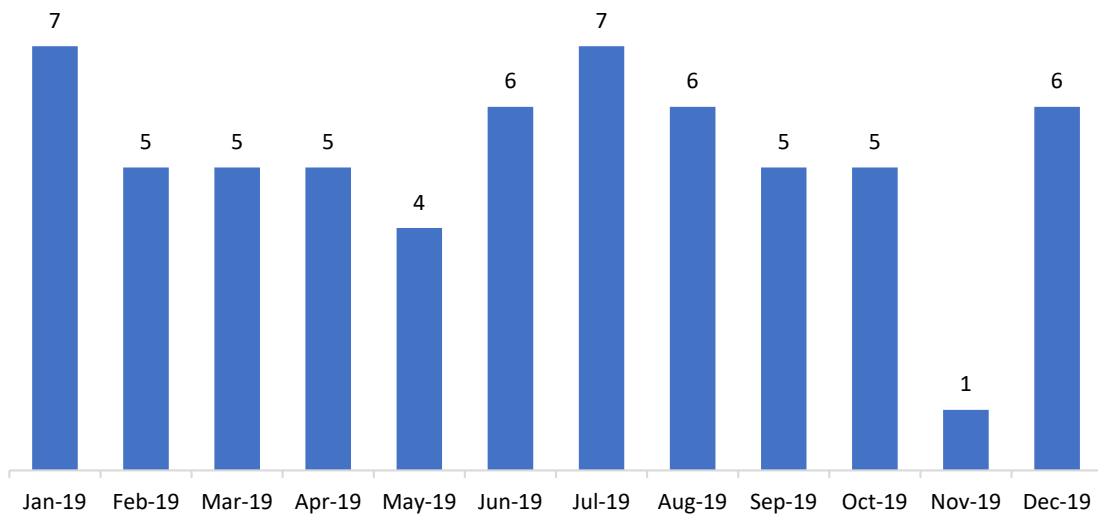


Source: SFJPD Monthly Statistics January 2021

Data on Juvenile Court history of youth ordered to OOHP in 2019 provide some additional information about how many young people were in custody while awaiting placement that year. These data show that on average, five young people were in custody awaiting placement at some point during each month. The minimum was one youth in November 2019 and seven in January and July 2019 (Figure 16). It was not possible to estimate the number of OOHP youth in the hall who were pending adjudication or disposition in the juvenile court data. There is also evidence that the number of young people pending placement in 2019 undercounts the true number of young people in this situation. A verification of this analysis using the monthly point-in-time estimates for 2020, shows that the Juvenile Court data has fewer people in this situation than the monthly Juvenile Hall data that SFJPD began collecting in December 2019.

**Figure 16. Post-disposition, pre-placement youth in Juvenile Hall in 2019.**

Any day of the month, January 2019 – December 2019

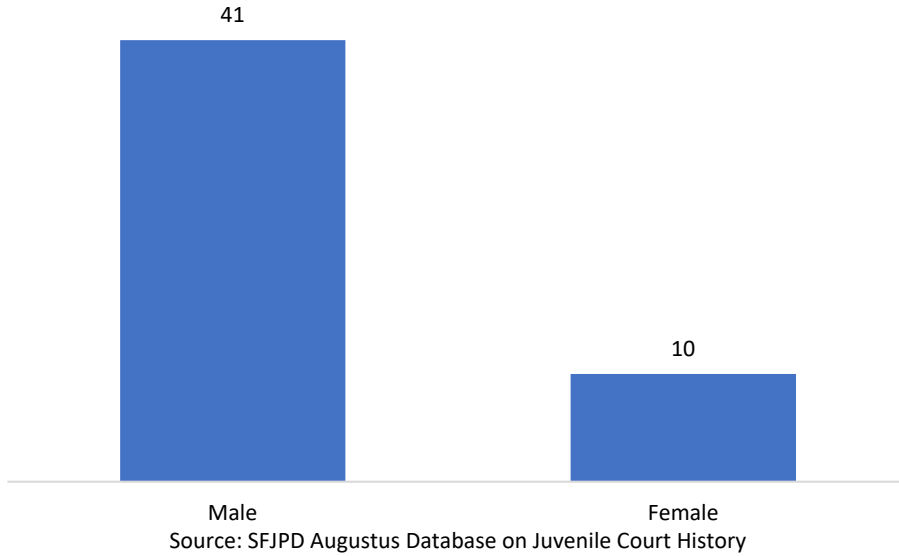


Source: SFJPD Augustus Database on Juvenile Court History

Because placement beds are often allocated by gender, it is relevant to consider how many young people of all genders need a temporary placement bed over the course of the year. The 2019 and 2020 juvenile court history data shows that only 10 girls were in custody on their disposition date in either year. These data did not appear to include an option for transgender youth (Figure 17). The 2020 monthly statistics from SFJPD show that between December 2019 and December 2020, only six girls were in Juvenile Hall pending placement or pending disposition in that timeframe. Zero transgender youth were in Juvenile Hall pending placement or pending disposition in that timeframe according to SFJPD’s monthly point-in-time statistics for 2020 (Figure 18). These combined data seem to indicate that the capacity needs for girls and transgender youth in temporary placements are limited.

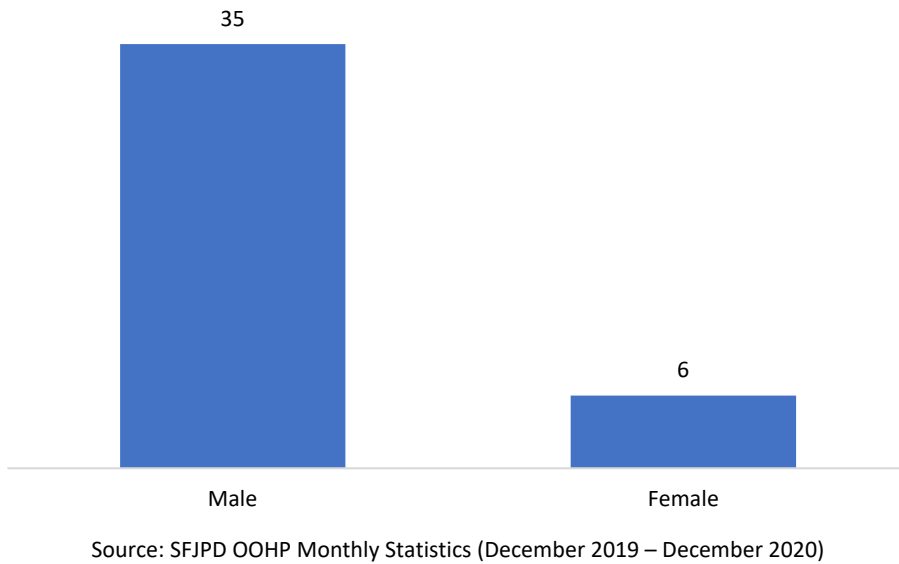
**Figure 17. Post-disposition, pre-placement youth in Juvenile Hall in 2019 or 2020 by gender.**

All youth with OOHP dispositions January 1, 2019 – March 8, 2021



**Figure 18. Pre-placement youth in Juvenile Hall in 2020 by gender.**

All youth recorded in SFJPD’s OOHP Monthly Statistics for December 2019 – December 2020.



It is difficult to predict how many young people will be awaiting placement in secure detention on a typical day in the future because the most reliable data on this population overlaps with the COVID-19 pandemic when fewer young people were in Juvenile Hall. However, it is most likely safe to predict that going forward, not many more than 15 individuals will be in this situation on any given day.

## Lack of Resource Family Placements

Placement data from 2020 show that last year between 28 percent and 55 percent of placements were with a resource family (Figure 10). The proportion was especially high in the second half of the year. These proportions are substantial and show that in 2020 SFJPD had success in finding home-based placements for a significant portion of young people in placement by the end of 2020. Reliable data on resource family placements before 2020 were not available for use in this study, so it is difficult to know whether these trends existed in prior years when there were not the same concerns around the health risks of congregate care like there were during the COVID-19 pandemic.

Currently, SFJPD relies almost entirely on relative resource family placements. SFJPD works with only one non-relative resource family. As a result, there are few home-based placement options for young people who do not have a relative who can serve as a resource parent. Furthermore, SFJPD does not currently have resource families who are approved to offer intensive services foster care (ISFC) (Probation Officer B, 2021). ISFC provides higher levels of care for youth with complex needs and can be a good option for individuals who would otherwise be in congregate care (Specialized Types of Resource Families, 2019).

Under Continuum of Care Reform, SFJPD is required to exhaust all home-based placement options before considering congregate care for each young person in OOHP (Palacios & Desautels, 2021). While data seems to indicate that SFJPD does a good job at identifying relative resource families, without a pool of non-relative resource families available to take in young people, SFJPD cannot exhaust all the potential home-based placement options before stepping up a young person to congregate care.

A challenge with the current resource family system at SFJPD is that relative resource families who currently host young people receive most, if any, support from the probation officer assigned to the youth. A social worker at SFJPD supports resource families during the

**Intensive Services Foster Care (ISFC)** is a resource family care option for youth who need intensive treatment and behavioral support. Youth in ISFC homes receive a higher level of care and supervision. Resource parents who are certified to provide ISFC must undergo additional training, are paid more, and get more access to support and respite. Youth who have had multiple placement failures or can be stepped down from congregate care are good candidates for ISFC homes. This could be a good placement option for many OOHP youth currently in STRTPs.

**Child and Family Team (CFT)** meetings are a mechanism through which SFJPD includes youth and their families in the treatment and case planning process of youth in foster care under an OOHP order. Under CCR, SFJPD is required to hold CFT meetings for all youth in placement at least once every three months. CFTs include the youth, their parents and/or other relatives, the assigned probation officer, attorney, a school liaison/Transition Specialist, mental health provider, and STRTP staff if they are in a congregate care setting or their resource family if they are in a home-based setting. The CFT can also include other members of a youth's support network, including mentors or coaches, substance abuse counselor, or therapist (Probation Officer B, 2021). Many individuals I spoke to, told me that CFTs have been an important addition to the placement process because they require agencies to include parents and youth in the decision-making process and keep them updated over the course of placement (Alternative Family Services CEO Jay Berlin, 2021; San Francisco Superior Court Judge, 2021).

approval process, but once a youth is placed with a resource family, the probation officer assigned to the youth is the main source of support. The probation officer is primarily concerned with the needs of the youth in placement. This often leaves the families feeling that the services are directed towards the youth and not the family as a unit, which sometimes leaves the families feeling unsupported. Resource families attend Children and Family Team meetings, but again, these meetings are focused on the young person, not the family. Oftentimes resource family placements deteriorate after the first crisis, like if a young person becomes defiant and/or runs away. Usually, if a resource family can stay with a young person through the first crisis, there is a greater chance of success. Resource families could benefit from specific person to address their needs and provide ongoing support and resources (Social Worker, 2021).

All families with youth in the San Francisco juvenile justice system currently have access to 24/7 support through the Mobile Response Team run by Seneca Family of Agencies. The Mobile Response Team provides services to young people experiencing mental health crises or who require preventative care (Mayor London Breed Announces Expanded Mental Health Support for San Francisco Students, 2021). Resource families currently get a letter notifying them that they have access to this service. A few families have inquired about this service, but not many. One deterrent for families could be that the letter includes the word “crisis.” It is possible that this kind of language deters families because it is difficult for people to admit they are in a crisis (Social Worker, 2021).

SFJPD needs resource family options for young people who do not have relatives who can serve as resource families and for individuals who require higher levels of care so that more young people can be in home-based placements. SFJPD also needs a way to better support resource families.

### ***Resource Family Recruitment Challenges***

SFJPD has had trouble recruiting people in the community to serve as resource families. In 2019, the department put together a resource family recruitment and retention strategy with Resource Development Associates (RDA), a social impact consulting firm, with the goal to increase the pool of non-relative resource families and increase the number of relative resource families. In a series of focus groups, RDA identified barriers to resource family placements from the perspective of exiting resource families.

The following are barriers to successful resource family placements from the perspective of existing resource families that can provide insight into why it has been difficult to recruit resource families (Freedman, Ramoabi, & Nwobilor, 2019):

- There are negative stereotypes about young people involved with juvenile probation. Families fear young people will bring violence or drugs into their home.
- Families do not get adequate financial support to provide for the needs of young people in their care.
- Communication and collaboration on case planning between resource families and probation officers is inconsistent and not always respectful.
- There is a fear of disruption resulting from kinship matching.

- Resource families experience challenges bonding with young people who have experienced trauma.

Resource family recruitment is especially difficult in San Francisco. Housing is very expensive in the county and few households have extra unused bedrooms where they can host foster youth. Furthermore, most resource parents are middle class, and many are people of color. Many people in these demographic categories have left San Francisco in recent years (Alternative Family Services Chief Program Officer, 2021).

### ***The Benefits of Resource Family Placements***

Continuum of Care Reform prioritizes resource family placements over placements in congregate care because young people in home-based settings have better educational outcomes and less juvenile justice system involvement (California's Child Welfare Continuum of Care Reform, 2015). Home-based settings also provide young people with the opportunity to build healthy adult attachments. Furthermore, placements with resource families seem to be especially beneficial for girls and youth with experience with commercial sexual exploitation.

### **Resource Families Provide Youth an Opportunity to Develop Healthy Adult Attachments**

There is a high incidence of adverse childhood experiences (ACEs) among youth involved in the juvenile justice system (Baglivio, et al., 2014). Healthy attachments with adults can help adolescents who have experienced trauma build resilience (Dozier, et al., 2014). ACEs are especially harmful over the long-term when children do not have healthy attachments to adults in their family or community with the resources to help them overcome a traumatic experience. Young people who grow up in communities with high levels of poverty and violence tend to have more ACEs and fewer resources to help them overcome trauma (Klein, 2021).

For a young person to build a strong attachment with an adult, the adult needs to be available to them consistently over an extended period. Healthy relationships with a parental figure can help teens resist influence from deviant peer behavior. Parental figures can also provide structure and supervision, help youth navigate having more autonomy, encourage school engagement, and plan for the future. Adolescents who lack healthy adult attachments often seek out peers for guidance and protection, which can lead to more risky behavior (Dozier, et al., 2014). Ideally, youth will have healthy attachments with adults in their lives prior to entering OOHP.

**Adverse Childhood Experiences (ACEs)** are stressful or traumatic experiences that occur during childhood and affect a child's brain development. They are connected to poor health and livelihood outcomes in adulthood. Trauma exposure can affect how children and adolescents respond to high stress situations. It can make it difficult for youth to trust caregivers, think beyond the current problem they are facing, and control their emotions. It contributes to higher likelihood of misbehavior and more involvement in the juvenile justice system (Adverse Childhood Experiences, Toxic Stress and Implications for Juvenile Justice, 2015).

For youth who have not had the opportunity for such a consistent and positive adult presence in their life, resource family placements can provide them with an opportunity to develop a healthy adult attachment. It is part of a resource parent's role to serve as a parental figure for youth.

In contrast, youth in congregate care placements have fewer opportunities to build healthy adult attachments. STRTPs operate on a shift schedule, meaning that staff members who young people connect with will not be available all the time. Furthermore, it is not the responsibility of STRTP staff to serve as parental figures. As a result, youth in congregate care settings may seek support from peers who likely have similar behavioral problems and might increase the likelihood the youth will engage in risky behavior (Dozier, et al., 2014). It has been found that among youth in child welfare placements, those placed in group homes 2.5 times more likely to be arrested in the future compared to youth in foster homes (Ryan, Marie Marshall, Herz, & Hernandez, 2008). One possible mechanism through which group care leads to more delinquent behavior is through greater association with other system-involved youth.

### **Resource Family Placements are Especially Beneficial for Girls & Youth Who are Victims of Commercial Sexual Exploitation**

Girls have an especially hard time in congregate care placements. Girls tend to be very relational and seek connections with the people around them. In STRTP settings this can lead to conflict when girls rely on their peers who are dealing with their own trauma and behavior problems and are ill equipped to provide stable support. Resource parents are a more appropriate source of stable support for girls in placement because it is their job to serve as a parental figure. A family environment with healthy adults to provide individualized care to young women is the best option (Castro Rodriguez, 2021).

While girls make up a minority of the OOHP population, they run away from placements at higher rates than boys. Resource families who can help the young person in their care find a safe place to stay while she is AWOL, and welcome her back into their home, will be more successful at building trust in the long term. Resource families need additional support, respite care, and a team approach to planning and management to be successful (Castro Rodriguez, 2021).

Experiences of commercial sexual exploitation (CSEC) occur at a higher rate among youth on probation compared to the general youth population and are especially common among girls. Sexually exploited youth tend to have trouble distinguishing between abusive and healthy relationships because of their own trauma and abuse. These young people benefit from being in a loving environment where they can get specialized care that will help them learn how to identify healthy relationships and be safe and stable in a home. These kinds of services are more conducive to a home environment (Castro Rodriguez, 2021). The Family & Me pilot in San Francisco is an ISFC certified program that was designed specifically for youth who are victims of CSEC.

## **VI. Opportunities to Address Out-of-Home Placement Challenges**

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### **Addressing Post-Disposition Time in Secure Detention**

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SFJPD has three options for how it could minimize the time young people spend in Juvenile Hall after their out-of-home placement (OOHP) disposition: (1) SFJPD could reserve temporary



placement beds for these youth in a local STRTP; (2) SFJPD could create an emergency foster care program, like the one at the San Francisco Human Services Agency (SFHSA), where youth could stay temporarily; or (3) SFJPD could create an emergency intensive service foster care program for youth with high-level needs like the Hub run by Seneca Families of Agencies for SFHSA. All three alternatives would allow for SFJPD to discharge young people at the time of disposition, and potentially earlier. SFJPD could also choose to take no action in this area. Greater detail on the components of each option is below.

### ***Status Quo***

SFJPD could choose to make no changes to the way the department minimizes post-disposition time in secure detention for OOHP youth. The current practice is to hold youth in Juvenile Hall until they are matched with a placement program. The Placement Unit works quickly and diligently to identify a placement match as quickly as possible, including getting a head start before the disposition hearing when possible. But the process takes time. Probation officers have limited control over the speed with which they can make a placement match because they must rely on providers outside the department, like STRTP programs (Supervising Probation Officer, 2021).

### ***Create Temporary Local Congregate Care Beds***

San Francisco could reserve temporary beds in a local STRTPs where young people could be placed on or prior to the date they receive an OOHP disposition until they are matched with a placement.

### ***ST RTP Best Practices***

Best practices for STRTP placements emerged from conversations with probation officers and other stakeholders. The following qualities are in addition to covering young people's basic needs.

- **Staffing** was the most important factor. STRTPs should try to employ individuals with high levels of experience working with youth in the Juvenile Justice System. Staff must be invested in young people's success and know how to respond during crisis situations. Some STRTPs have employed individuals right out of college for purposes of gaining experience and mandatory hours for their master's or PhD program. At times, they treat the position as a formality. STRTPs should avoid this dynamic. It is a good sign when STRTPs have low turnover (Former Supervising Probation Officer, 2021).

The best STRTPs have staff member who can connect with youth. Individual staff members who connect very well with youth can make a huge difference in guiding that youth through successfully completing a treatment program, gaining skills, and learning about themselves. For example, one the best elements of Courage to Change, an STRTP located in Exeter, CA, is that youth really like the therapist and case manager who work there, evidenced by the way they work together and in the youth's ability to verbalize what they have learned (Probation Officer B, 2021).

Almost all youth in placement are youth of color and most are African American. Staff who are people of color and have similar lived experiences to justice-involved youth, including histories of juvenile justice contact themselves, tend to serve as good mentors for youth in



placement. Community-based organizations in San Francisco serving justice-involved youth do not always have staff members who share identities or experiences with this youth population, and this should be a priority (Castro Rodriguez, 2021).

- STRTPs must have on site **mental health services** certified by the state. The main purpose of STRTPs is to provide young people with treatment, guidance, structure, meet education needs, and prepare them to reenter the community (Probation Officer A, 2021). STRTPs should have training programs that address the specific issues young people face, such as gang intervention training and substance abuse treatment. Programs should be culturally sensitive, center racial equity, and treat BIPOC youth fairly (Former Supervising Probation Officer, 2021). Each youth has specific needs, screening each youth thoroughly prior to placement will help identify which STRTP is best able to meet the youth's needs and provide treatment (Probation Officer A, 2021).
- In placement, youth should have access to **quality grade-level education**. Currently SFJPD works with SFUSD Transition Specialists who assist youth transitioning from juvenile hall, to OOH/ STRTP, or are returning home with any educational related concerns including school enrollment, reviewing transcripts and credits, and assuring youth are enrolled in the proper classes. In considering creating a local temporary placement, this collaboration should continue to actively support with school transitions and making sure the education needs of the youth are met (Probation Officer B, 2021). School can be administered in a few different ways in a temporary STRTP. Young people could attend school onsite or attend a school in the community.
- STRTPs should have **lots of programming** so that youth are not sitting around bored. Outside of school, homework time, and treatment, youth should have the opportunity to participate in fun activities that they may not have otherwise had access to. It is also important to ensure youth have access to programming on the weekends. It has been a problem at Juvenile Hall that many outside organizations are eager to lead activities for youth during the week, when most of the day is taken up by school, but there are few opportunities for engaging opportunities on the weekends. When youth are bored, they are more likely to go AWOL (Juvenile Hall Director, 2021).
- Residential placements should have outdoor space for youth to have **recreation** and/or recreational activities indoors. Having recreational time away from the STRTP is very important as well, such as going to the beach, fishing, camping, amusement parks. Providing activities is a part on normal life and should be a part of programming for all youth (Probation Officer A, 2021).
- The best STRTPs offer **vocational training** opportunities. Ideally, vocational training can help youth build a skill that can lead to employment opportunities in adulthood. It is also good life skills practice and can help young people feel a sense of accomplishment while in placement (Juvenile Hall Director, 2021).
- STRTPs that **stay connected with youth after they leave** are better able to help young people reintegrate into the community. The transition from a residential placement back

home can be stark, however hopefully less so in a local placement. STRTPs should support youth in this transition even after they leave the residential setting. For example, STRTPs can help non-minor youth find housing (Juvenile Hall Director, 2021).

- Local STRTPs should allow young people to stay connected with **programs in the community** (San Francisco Superior Court Judge, 2021).
- STRTP staff also need to have training and provide **individual support to girls** residing in congregate care to provide safety and security for young women (Castro Rodriguez, 2021).

### Local STRTP Provider Options

There are three ways SFJPD could go about securing temporary local STRTP beds: 1) investing in additional beds in existing local STRTPs, 2) partnering with a different community-based organization to create a new STRTP, or 3) establish a county-run STRTP.

#### *1) Invest in Existing STRTPs*

There are two agencies in San Francisco that run certified STRTPs: Catholic Charities and Edgewood Center for Children and Families. Catholic Charities runs the Boys' Home and the Girls' Home, each of which currently has eight beds. In 2019, the Boys' and Girls' homes served 42 youth ages 13 to 18 (Boys' and Girls' Homes 2019 Year-End Impact Report, 2019). The Girls' Home is often vacant, so there may be an opportunity to repurpose those beds to serve as temporary placement beds.

The Edgewood Center for Children and Families runs a third STRTP in San Francisco that does not currently accept many young people from SFJPD. Edgewood serves youth ages six to 17 and specializes in treatment for young people with mood disorders, trauma, attachment disorders, psychosis, thought disorders, and adjustment disorders (Short-Term Residential Therapeutic Programs (STRTP), n.d.).

San Francisco could partner with either of these agencies to reserve temporary beds for young people in the pre-placement period. This option may require existing shelters to expand or reallocate existing beds.

#### *2) Contract with a Different Community-Based Organization to Create a New STRTP*

Instead of working with agencies that have existing contracts with the City, SFJPD could enter into a new contract with a community-based organization to run an STRTP with temporary placement beds. This option would require SFJPD to go through a procurement process. This option would also likely involve creating a new STRTP facility, which will need to be licensed by the California Department of Social Services Community Care Licensing Division (Short-Term Residential Therapeutic Program Interim Licensing Standards, 2020).

#### *3) Establish a County-Run STRTP*

The third option would be for the City to run the STRTP in-house. The City would need to undergo the STRTP licensing procedures set by the California Department of Social Services Community

Care Licensing Division to become an STRTP provider. Any new facility would also have to be approved by the state agency.

It may be possible for the City to takeover an existing STRTP instead of building a new facility. Before SFHSA ran the Child Protection Center, it was run by the Children's Home Society. When that organization closed, SFHSA took over the shelter (Program Director Burris, 2021). San Francisco could consider this approach with the underutilized Girl's Home currently run by Catholic Charities.

### **Emergency Foster Care**

The second option available to SFJPD is to establish an Emergency Foster Care Program in which young people are matched with a resource family on their disposition date or earlier and stay with the family until they are matched with a longer-term placement. Through a contract with Alternative Family Services (AFS) the San Francisco Human Services Agency (SFHSA) has an emergency foster care program for youth who are removed from their home through the child welfare system. SFHSA's program can serve as a model for SFJPD. The following section on SFHSA's program is based on an interview with Program Director Tracy Burris at SFHSA's Family and Children's Services Division who led the development and implementation of the program.

#### **SFHSA's Emergency Foster Care Program**

SFHSA closed the Child Protection Center in November 2019. The Child Protection Center was a 24/7 shelter that was meant to take in children in emergency situations and find a placement for them within twenty-three hours. When Continuum of Care Reform went into effect in 2017, SFHSA had two options: they could get the Child Protection Center licensed as an STRTP or they would have to close the shelter. Instead of going through the rigid process to get the shelter certified as an STRTP, SFHSA chose to focus on keeping young people in home settings through an emergency foster care program.

Currently, SFHSA has around ten resource families that are participating in the emergency foster care program. On average, young people spend three days in an emergency foster home and can stay there for up to 30 days. Typically, about eight of the homes are in use. All families are in San Francisco, Treasure Island, or San Mateo County. Families receive a monthly stipend regardless of whether they are currently hosting a young person. They receive the intensive services foster care (ISFC) rate, which is higher than regular foster families.

The resource families in this program have served youth in the foster care system for years. They are equipped to take in almost all youth in the child welfare system, including teens. Like SFJPD, SFHSA serves some adolescents who frequently run away from placement. The department has found that emergency foster care placements have been effective at welcoming back youth who are returning from an AWOL episode. Emergency resource families do not give up on youth.

SFHSA's partnership with AFS has been an essential component of their success. AFS supports SFHSA in recruiting resource families to provide emergency beds and facilitates emergency home removals that occur outside of business hours. AFS also assists in matching youth with families. The agency is knowledgeable about each family and makes an effort to place youth with families who will

be the best fit. The agency also provides social workers who are available to support emergency resource families 24/7.

The program is effective because families trust that they will be supported when things get hard. AFS works closely with families to prepare them for what to expect and are available to address challenges. For example, during the COVID-19 pandemic, AFS provided families with personal protective equipment and gave them continuous updates. As a result, the emergency foster care program never shut down during the health emergency (Alternative Family Services Chief Program Officer, 2021).

SFHSA worked closely with AFS throughout program design and implementation. It was a priority to ensure an inclusive process where staff at all levels of SFHSA who would ultimately be responsible for running the program day-to-day had a chance to provide input and felt heard. SFHSA conducted surveys of child protection workers. The department also met with employee unions to plan for how the program would change SFHSA staff jobs. The implementation process took a year and a half. SFHSA moved back the Child Protection Center closure two times to ensure emergency placements were ready on the day the shelter closed.

Since SFHSA started placing youth in emergency foster homes, they have maintained close communication with AFS. Department staff meet with AFS every Friday to review open cases. These regularly scheduled meetings help to facilitate open and fluid communication.

The main challenges with emergency foster care come up when young people become physically aggressive with resource parents or other children in the home. Emergency foster homes often host multiple children. There are also particular challenges with young people who have experience with commercial sexual exploitation. There have been instances when an abuser or exploiter shows up at the foster home, which is challenging for the resource parent to deal with.

### ***Emergency Intensive Services Foster Care***

A third option available to SFJPD is to place youth in emergency intensive services foster care (ISFC) homes modeled after SFHSA's Hub program administered by the Seneca Family of Agencies. This option would provide a home-based temporary placement setting for youth who require high levels of care and would not be well served in a regular emergency foster home.

The Hub is part of a three-part integrated services model run by the Seneca Family of Agencies for SFHSA. The services model includes the Mobile Response Team, intensive care coordination, and immediate emergency placement. The following section on the emergency ISFC program is based on an interview with Program Manager Liz Crudo at SFHSA's Family and Children's Services Division who facilitated the contracting process for the program.

### ***Emergency ISFC Placements at SFHSA***

The Hub includes up to four ISFC beds and one respite bed that are in a cluster of homes in a cul-de-sac in Petaluma. Each resource family provides 24/7 care to one youth. The program serves young people with a range of behavioral, mental health, and educational needs. Many of the youth have been in multiple STRTP placements throughout the state. Many are adolescents. The program

has a “no reject, no eject” policy in which they will accept all youth who are assessed to require that level of care and will not kick young people out of the program.

SFHSA went through an extensive planning process before they issued the request for proposals (RFP) to acquire the contract for this program and the full integrated systems model. The department worked with the Casey Foundation and a consultant from New Jersey to design the system for at least a year before issuing the RFP.

When they ultimately did issue the RFP, the only application was from Seneca, who applied as a lead agency/contractor in collaboration with other partners. However, for fiscal reasons, the original proposal needed to be revised. The initial plan was to also include emergency STRTP beds at the Edgewood Center and additional beds at St. Vincent’s residential program. However, Edgewood declined participation due to concerns with the ability to serve all referred children and youth in their program at any given time. The initial application proposed reserving STRTP beds at St. Vincent School for Boys in Marin County. However, SFHSA declined as these beds were not available for immediate emergency placements.

The program receives ISFC rate Title IV-E foster care funding as well as additional mental health funding through Medi-Cal. Title IV-E funding is only available when the placements are occupied. Additional general fund dollars support the program. It is an expensive model that costs approximately \$2,000 per child per day to provide urgent stabilization services to eligible children/youth and their families.

The Hub started accepting youth in September 2019, just two months before the Child Protection Center closed. Since then, Seneca’s flexible, responsive, and comprehensive service delivery has been a strength of the program. As a large agency, Seneca has the capacity to go above and beyond to support children and their families. For example, Seneca has found ways to help facilitate family reunifications in very difficult situations. Another benefit of working with Seneca has been that some of the youth have existing relationships with Seneca staff because they have participated in other Seneca provided services through the child welfare system. Seneca also recruits resource parents.

So far, it has been a challenge to retain resource families. The Hub has only been able to host up to three youth at a time. Multiple resource families have turned over for various reasons. When the COVID-19 pandemic hit, some had family members who had medical conditions, which made it unsafe for them to serve as an emergency resource parent. There were also resource families who left the program because of challenges caring for youth. 24/7 in-home care is intense. A respite family is available to give resource families a break, but some families have still found the experience difficult to continue for extensive periods of time.

The temporary component of the program has also been a challenge. The Hub homes are meant to be temporary and last no more than 45 days. However, some young people have stayed in these homes for longer. Realistically, some of these young people need a longer-term solution. Many of these youth have exited the program into STRTPs and some have ended up cycling back to the hub. Repeated moves can be traumatic, and these young people would benefit from having a chance to settle and receive more focused longer-term clinical care. SFHSA and Seneca are currently looking into ways to provide longer-term placement options as part of this model while maintaining the

necessary emergency ISFC beds. Funding is a continuous challenge because the intensive service delivery model requires robust fiscal support.

## Addressing Lack of Resource Family Placement Options

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### *Status Quo*

SFJPD could continue to use existing strategies to recruit and support resource families. Currently, it is up to probation officers to identify a relative or kin who can serve as a resource family for youth ordered to OOHP. Probation officers also work with one certified non-relative resource family. Once a family has been identified and a Resource Family Approval (RFA) referral is made, SFJPD RFA Social Worker works with families as they complete the resource family approval process. But once they complete the process and are approved their primary contact with SFJPD is the probation officer assigned to the youth. Once a youth is in the resource family home, the resource family’s main source of support from SFJPD is through the Children and Family Team meetings where they usually address concerns in the household as they relate to the placement of the youth (Social Worker, 2021). They can also get support through the Mobile Response Team administered by the Seneca Family of Agencies.

### *Contract with a Foster Family Agency to Recruit & Retain Resource Families*

SFJPD could contract with a Foster Family Agency (FFA) to recruit and retain more resource families. FFAs are private non-profit organizations that are licensed by the California Department of Social Services to support counties in placing children and youth who require intensive care in homes instead of congregate care. These agencies specialize in resource family recruitment, certification, and training. They also offer ongoing support to resource families while a young person is in their care (Foster Family Agencies, n.d.).

#### *FFA Example: Alternative Family Services*

Alternative Family Services (AFS) is one example of an FFA that operates in counties across California. The following section about AFS is based on an interview with AFS CEO Jay Berlin. AFS recruits and support families who provide regular foster care, intensive services foster care (ISFC), and foster care for children with developmental disabilities. They are also planning to establish a treatment foster care (TFC) program.<sup>11</sup> The term treatment foster care may be misleading in that it is not a distinct foster care program under Community Care Licensing the way FFA and ISFC are. Therapeutic Foster Care funded through Early and Periodic Screening, Diagnosis, and Treatment (EPSDT), a federal source, is a Mental Health service available to some children and youth in foster care. In fiscal year 2019-20, across the state, AFS supported a total of 730 youth in family based foster homes as follows:

FFA “Therapeutic” Foster Care	481
San Francisco Emergency Placement	137
Intensive Services Foster Care	103
Children with Developmental Disabilities	9

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<sup>11</sup> Treatment Foster Care and Therapeutic Foster Care are the same thing.

AFS is known for the high level of support they provide for resource families. Case workers are available to resource parents 24/7. If a family needs support at 2:00am, they can call a case worker and the case worker will show up in person if necessary. This kind of immediate support helps to avoid potential placement failures. According to AFS CEO Jay Berlin, the trusting relationship between case workers and resource parents is what sets it apart from other FFAs that provide similar services.

The distinction between ISFC and regular foster care is that there is double the case work and more payment and training for resource parents. AFS has not pursued a specific ISFC model, because as one of California's oldest Foster Family Agencies, it has developed its own effective practices over the decades. AFS takes a particularly improvisational approach to foster care. They do whatever is needed allowable under regulation, to support youth and families, which can often require thinking outside the box.

AFS currently has a contract with SFHSA to operate an emergency foster care program for children and youth who may need immediate placement, like for example, if a child is removed from a domestic violence situation. Stays in this program can range from a single night to several weeks.

AFS has much less experience recruiting resource families to serve youth on probation. For example, youth with gun-related offenses or a history of gang involvement could be hard to place with a resource family.

### ***Establish a TFCO Program in San Francisco***

San Francisco could increase resource family placements by implementing a Treatment Foster Care Oregon (TFCO) program to serve youth on probation in the City. This option is targeted at increasing home-based placements for young people with complex needs who require high levels of care they cannot receive in a regular resource family placement.

TFCO is an evidence-based foster care option that has been found to reduce future delinquency among youth in the juvenile justice system. This program model qualifies as intensive services foster care (ISFC) under California law. It can be implemented directly by a county or through an FFA. In either case, to use the official program name and curriculum, implementation must be in partnership with TFC Consultants Inc. located in Eugene, Oregon. The goal of TFCO is to “create opportunities for youth to successfully live in a family setting and to simultaneously help parents provide effective parenting.” TFCO-A is the program specifically designed for adolescents (TFC Consultants, Inc. President John Aarons, 2021).

There are currently eleven certified TFCO-A sites throughout the world, including international sites in the Netherlands, New Zealand, Norway, and Sweden. In the U.S. there are certified sites in Eugene, Oregon, and Orange County and Kern County, California (Site Locations, n.d.). Of the certified U.S. sites, only the Eugene site appears to work with youth in the juvenile justice system specifically.

The program has three major components (TFC Consultants, Inc. President John Aarons, 2021):



1. **TFCO parents** are resource parents who host youth in their home. TFCO parents in this program receive extensive training prior to hosting a youth. During placement, resource parents implement a structured, individualized curriculum for the youth in their care. They can only have one foster youth in their home at a time.

TFCO parents have access to 24/7 support from the Treatment Team and provide daily reports over the phone each weekday to update the Treatment Team on the child's behavior each day. They also receive a monthly salary and stipend.

The program tries to reduce confrontation between the youth and the TFCO parents as much as possible. When confrontation is needed, the Treatment Team Lead will take over so that TFCO parents can focus on building a loving and trusting relationship with the youth.

TFCO parents are part of a team of parents in a local area. There are typically about ten households in a team and the TFCO parents usually remain as part of the team for multiple years, hosting multiple youth. The team of parents provides a peer support network.

If the young person in their care runs away, TFCO parents continue to receive payment. This gives them the ability to welcome the young person back if they return from the AWOL episode.

2. **The aftercare family** is the family that the youth will live with when the placement is over. Often a youth's biological parents are the aftercare family. All youth who participate in TFCO are required to have an aftercare family who participate in family therapy. The goal of family therapy is to prepare the aftercare family for their child's return to the home.

Therapy provides families with the opportunity to learn how to respond to unwanted behaviors. Parents learn how to safely communicate with their children in a nonconfrontational way. Aftercare families have the chance to practice the skills they learn in therapy during family visits. TFCO's teaches parents to reinforce wanted behaviors and to avoid unwanted behaviors. This often means ignoring unwanted behaviors. The program teaches the same behavioral responses to TFCO parents.

3. **The treatment team** provides support to the TFCO parents, youth, and the aftercare family throughout a young person's placement. The team is composed of a supervisor (the team lead), a family therapist, an individual therapist, a child skills trainer, and a daily telephone contact person who receives the daily calls from TFCO parents. The individual therapist and child skills trainer provide services for youth in the program.

## Evidence Base

A series of randomized control trials have found that youth referred to TFCO had lower levels of future delinquency, improved academic outcomes, and less pregnancy for young women compared to youth referred to congregate care placements.

The National Institute of Justice Crime Solutions program and practice rating database rates TFCO as an effective program (Program Profile: Multidimensional Treatment Foster Care - Adolescents, 2011). Their rating is based on two randomized control trials, one comparing chronically delinquent



boys who were randomly assigned to TFCO (treatment group) and group care (control group) one year after assignment (Chamberlain & Reid, Comparison of two community alternatives to incarceration for chronic juvenile offenders, 1998). The other study compared chronically delinquent girls who were randomly assigned to TFCO (treatment group) and group care (control group) two years after assignment (Chamberlain, Leve, & DeGarmo, Multidimensional treatment foster care for girls in the juvenile justice system: 2-year follow-up of randomized clinical trial, 2007).

The boys' study by Chamberlain and Reid (1998) found that boys in the TFCO program had a greater reduction in arrests, ran away from placement less often, were more likely to complete treatment, and spent fewer days in detention within the first year of the program compared to the control group of youth in congregate care.

The girls' study by Chamberlain, Leve, and DeGarmo (2007) found that the treatment group had lower general delinquency, measured by days locked in secure detention, number of arrests, and self-reported delinquency. A follow up study from 2009 found that girls in the TFCO program had significantly fewer pregnancies compared to girls in group care (Kerr, Leve, & Chamberlain, 2009).

Two other studies by Leve and Chamberlain (2005 and 2007) with similar designs cited in the California Evidence-Based Clearinghouse for Child Welfare found that girls randomized to the TFCO program had higher levels of school attendance and homework completion compared to girls in group care (Leve & Chamberlain, A randomized evaluation of Multidimensional Treatment Foster Care: Effects on school attendance and homework completing in juvenile justice girls, 2007) and that youth in the TFCO program had fewer associations with delinquent peers (Leve & Chamberlain, Association with delinquent peers: Intervention effects for youth in the juvenile justice system, 2005).

All five studies are from the late 1990s and early 2000s, are set in the Pacific North West, include mostly White youth, and include sample sizes of under one hundred youth. Therefore, it is hard to say how transferable these results are to youth of color in San Francisco in 2021. However, this kind of rigorous program evaluation is unusual in OOH research. It provides suggestive evidence that this program can be more effective than congregate care for youth with high levels of juvenile justice system involvement.

A cost-benefit analysis of the TFCO program conducted by the Washington State Institute for Public Policy (WSIPP) finds the program has a cost benefits ratio of \$1.85. This means that for every dollar spent on TFCO, the social return is \$1.85. In their cost-benefit analysis, WSIPP used estimates for the direct and indirect benefits and costs of the program accrued to taxpayers, participants, and others. Benefits included less involvement in the juvenile and criminal justice systems and costs included program costs. Their analysis compares TFCO to group homes and is based on outcomes of a majority White and majority female population of youth in the juvenile justice system (Benefit-Cost Results: Multidimensional Treatment Foster Care (MTFC) (vs. group homes) for court-involved youth, 2019).

### TFCO Implementation in Orange County, California

The Orange County Social Services Agency has used TFCO-A for youth in the child welfare system since 2004. It qualifies as one of the county's ISFC programs. Orange County SSA administers

TFCO itself rather than through an FFA. Orange County Probation does not use TFCO. As part of this study, I had the opportunity to interview Program Manager TerryLynn Fisher at Orange County TFCO to learn about what has worked well about the program and what has been challenging in recent years (Fisher, 2021).

The structure and constant communication between the resource parents stood out as the most important component for the program's success. The program relies completely on the team lead to discipline the youth. Resource parents always have access to the team lead so that they can call on them to help resolve challenging situations. This allows for the relationship between the resource parent and the youth to be maintained. The resource parent is free to love the youth in their care without balancing their role as a disciplinarian.

Resource parents also have daily calls with a member of the treatment team to check on the resource parent's stress level and on progress towards the youth's treatment goals. These allow for the young person's case plan to adapt continuously to their changing needs and helps to make sure resource parents always have the support they need. Opportunities for respite for both the resource parent and the youth were also important for maintaining positive relationships.

All TFCO resource parents in the county get together for a weekly support meeting. During these meetings, they get to learn what is happening in other homes and provide peer training to one another. The network between resource parents is vital. Many resource parents stay with the program for many years and create a bond with other members of the cohort.

Participation in the TFCO program must be voluntary on behalf of the youth and their aftercare family. Therefore, while youth can be recommended to the program by a Senior Social Worker or mental health professional, they cannot be required to participate. TFCO requires voluntary participation because youth and families who are committed to treatment are much more likely to succeed. However, many young people offered the program choose not to participate because they do not like the high levels of supervision it involves. Youth are required to check-in with their resource parents continuously to let them know where they are at all times. Furthermore, youth have limited access to cell phones and social media, which has been a big sticking point for youth.

Additionally, young people must have an aftercare family to participate in TFCO. The aftercare family is not required to be the youth's biological family. It can be a resource family, friends, relatives, or non-related extended family members. The key is that there must be someone who is willing to participate in the program and with whom the youth will be reunified. Youth are also allowed to participate if they plan to go directly into an independent living program.

TFCO uses a token system to incentivize young people to engage in positive behavior, like attending school and completing homework. The model is based on social learning theory, in which positive behaviors are rewarded and negative behaviors are ignored to the greatest extent possible. Orange County has found that this system works for a while, but if youth are in a TFCO placement for too long, the token incentives are not as effective. TFCO placements typically last about nine to twelve months.

TFCO in Orange County cites an elevation in the severity of youth misbehavior as the most significant challenge for the program in recent years. Some resource parents report that they left the

TFCO program because the youth they are seeing today demonstrate greater clinical acuity and much more delinquent behavior than they did ten years ago. Additionally, some resource parents report they are not willing to accept placement of youth who become psychotic or youth who have a history of violent behavior or youth who have significant substance abuse because of fear for their safety and/or the safety of their families.

### ***Refer More Young People to Family & Me***

SFJPD could increase the number of resource family placements by referring more young people to Family and Me. This option is targeted at young people who have experience with sexual exploitation or are at risk of experiencing sexual exploitation. Family and Me (“FAM”) is a new foster care model for youth impacted by or at risk of commercial sexual exploitation (CSEC). FAM is part of a pilot continuum of services for youth who have experienced CSEC in San Francisco called San Francisco Safety, Opportunity, and Lifelong relationships (“SFSOL”). The pilot is funded by the California Department of Social Services and the San Francisco Department on the Status of Women. The UC Berkeley Human Rights Center is doing an evaluation of FAM. FAM’s caregiver training curriculum is based on the CHANCE Program run by the Citrus Health Network in Florida, a successful family-based foster care program for youth who have experienced CSEC (FAM Director Bailey, 2021).

FAM is designed and led by Freedom Forward, a non-profit agency in San Francisco with the mission to reduce the incidence of commercial sexual exploitation of minors in San Francisco and to support CSEC survivors. FAM programming is provided by Family Builders, Huckleberry Youth Programs, and WestCoast Children’s Clinic.

FAM has three major components (FAM Director Bailey, 2021):

- **The primary caregiver** is the resource family who a young person in FAM lives with during the program. Primary caregivers are certified as ISFC resource parents and receive specific training about how to care for youth with CSEC experience through FAM. They also have access to 24/7 crisis response support and significant respite. By providing comprehensive training and support, primary caregivers are more likely to sustain placement, thus allowing the youth more time to adjust, belong, and heal. They also participate in family therapy with the youth. FAM is distinct from other ISFC models discussed in this report because in addition to recruiting resource parents from the community, they search for resource parents within the young person’s network. It is up to each youth whether they would like to live with someone they know or have a fresh start. FAM also provides youth with an opportunity to meet with a potential resource parent multiple times before moving into their home to test out if it is a good fit.
- **The secondary caregiver** is an additional family in the community who can serve as a mentor and a secondary source of support for the young person. Secondary caregivers do not have a young person placed in their home, but they do reserve a bedroom where youth can stay if they need a break from their primary caregiver’s home. FAM is hoping that the secondary caregiver will reduce the number of AWOLs for youth in the program because youth will have somewhere else to go if they feel the need to get out of the primary home. The secondary caregiver also undergoes the resource family approval process and receives a

stipend for their services. FAM is the first ISFC model to include a secondary caregiver. Secondary caregivers are not funded by the state, so Freedom Forward relies on grant funding to cover their stipend.

- **Youth services** include a case manager, permanency planning,<sup>12</sup> individual and family therapy, psychoeducation, support while out of the home, and extracurricular support.

### FAM Implementation So Far

As part of this study, I had the opportunity to interview FAM Director Camille Bailey at Freedom Forward about how implementation of the program is going. FAM is in the second year of the three-year pilot and is off to a slow start. As of February 2021, there were six teens referred to the program, but none of them had been placed with a family. The COVID-19 pandemic is part of the reason for the delay. When the pandemic hit, FAM had to move all the caregiver training online and transition all agency operations to remote work. In addition, the pandemic may have impacted community member's comfort to invite a new person into their home, due to health and safety concerns.

There have also been delays identifying primary and secondary caregivers for youth. FAM gives young people the option to be placed with a community-based resource family, a relative, or someone else in their network. This approach is grounded in FAM's philosophy to prioritize youth voice and choice. Young people get to meet with potential resource families before moving into their home to see if it is a good fit. This process takes time. FAM is not an emergency foster care program.

Going forward, FAM is at risk of losing funding for the secondary caregivers. Other parts of the program will be sustained through existing state funds, just like any ISFC program. The secondary caregiver goes beyond traditional foster care programs and will therefore rely on new funding. The current grant is through CDSS. If this grant is not extended past mid-2022 or Freedom Forward is unable to secure another grant, FAM may not be able to sustain that part of the program. Future funding will likely depend on the results of the UC Berkeley's evaluation.

## VII. Assessing Tradeoffs

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### Addressing Post-Disposition Time in Secure Detention

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The following section discusses the benefits, risks, and implementation considerations SFJPD should weigh in deciding how to address the post-disposition time young people spend in secure detention. The options under consideration include maintaining the status quo, creating temporary congregate care beds, or creating an emergency foster care program.

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<sup>12</sup> Permanency planning refers to making a long-term plan and building positive relationships that will support the youth along the way.

**Table 6. Summary of tradeoffs: Addressing Post-Disposition Time in Secure Detention**

	<b>Benefits</b>	<b>Risks</b>	<b>Implementation Considerations</b>
<b>Status Quo</b>		(-) Restrict liberty (-) More exposure to harms of secure detention	
<b>All Non-Status Quo Alternatives</b>	(+) Reduce time in secure detention (+) Reduce Juvenile Hall population (+) Increase less restrictive placements	(-) Added transition (-) AWOLs	Capacity Placement length Service continuity Planning Collaboration
<b>Temporary STRTP Placements</b>	(+) Familiar approach	(-) Rejections (-) Challenges of congregate care	Provider
<b>Emergency Foster care</b>	(+) Home-based care	(-) Rejections (-) Resource family recruitment	
<b>Emergency Intensive Services Foster Care</b>	(+) No rejections (+) High-level home-based care	(-) Resource family recruitment (-) Retaining resource families (-) Integrating with longer-term placements	Funding

**Risks of Inaction**

If SFJPD does not reduce the time young people spend in secure detention, the City will continue to restrict the liberty of young people for longer than the amount of time deemed necessary by the court. There is also a risk that young people will experience more of the harms that have been associated with secure detention if they continue to stay in Juvenile Hall for additional time, such as worse educational, employment, and health outcomes.

**Benefits of All Alternatives**

**Reduce Time in Secure Detention:** Moving young people out of Juvenile Hall—either into a local STRTP, emergency foster care, or emergency intensive services foster care—will mitigate the risks associated with the status quo. Young people will have more liberty and are likely to experience fewer harms associated with secure detention.

**Reduce Juvenile Hall Population:** Another benefit of moving young people out of secure detention is that it will significantly reduce the overall Juvenile Hall population. Figure 18 shows that in 2020, youth awaiting placement made up between 24 percent and 82 percent of all youth in custody at Juvenile Hall on the last day of each month. If SFJPD were to move these young people

out of secure detention and into a temporary placement, the Juvenile Hall population would shrink substantially.

**Increase Less Restrictive Placements:** Temporary placements could give young people the opportunity to test out less restrictive placements. Resource family placements and local congregate care placements, which are the proposed options for temporary placements, are considered less restrictive than out-of-county congregate care placements. SFJPD could decide to allow for young people to stay in a temporary placement for their full placement length if it is going well. If SFJPD were to make this decision, more young people who could stay in a home-based setting or stay locally near their family and community. This would also reduce the number of placement transitions for young people, which is one risk associated with temporary placements discussed in the next section (Probation Officer B, 2021).

SFJPD already has some experience with this kind of approach. Currently some young people are placed in the Boys' and Girls' Homes during the pre-adjudication period for up to 90 days. It is treated as a trial and if a youth does well, they can go home. If they are struggling, they can stay to finish out their term. This is not the same as an OOHP (Probation Officer B, 2021). However, SFJPD could build on experience from these kinds of placements.

Allowing for young people to stay to finish placement in a temporary placement would most likely increase the number of beds SFJPD would need in temporary placements because some young people would stay for six to nine months, rather than just a few weeks. Given the high costs and likely limited capacity of an emergency ISFC foster care program modeled after the Hub, youth probably would not have the option to stay in these kinds of homes for their longer-term placement.

### ***Risks of All Alternatives***

However, there are also several potential risks to both congregate care and home-based temporary placement that should be taken into consideration when deciding if SFJPD will move forward with any of these options.

**Added Transition:** Temporary placements add another transition in the placement process. This is another setting young people will need to adjust to, even if for a short period of time. Young people are often confused by the process and this additional transition could add even more stress to an already stressful process. Temporary placements could also pose challenges with school continuity. A youth could still work with the SFUSD Transition Specialist through the school transition process in a temporary placement. However, the youth would likely still need to adjust to a new teacher for a short time, adding additional educational challenges for young people who already face many educational challenges (Probation Officer B, 2021).

**AWOLs:** Temporary placements could result in more AWOLs that occur early on in placement. The first few weeks of a new placement can be the most difficult and tend to be the time when young people are at the highest risk of going AWOL. Walking off the premises in a non-secure local setting could be very easy and tempting for some young people, especially for those who are not ready for a local placement and will be matched with a placement out-of-county. Running away from placement poses a risk to the safety of the individual (Juvenile Hall Director, 2021; Probation

Officer B, 2021). Even though the Hub homes are in a relatively rural area in Petaluma, young people still go AWOL sometimes (Program Manager Crudo, 2021).

### ***Implementation Considerations for All Alternatives***

The following implementation considerations came up in interviews and analysis as some of the factors SFJPD will need to address in their plan to implement temporary placements in either a local STRTP or through an emergency foster care program.

**Capacity:** SFJPD will need determine how many beds are needed in temporary placement to serve all youth who are in custody after their OOHP disposition. Analysis of recent trends show that there were no more than nine post-disposition youth awaiting placement in custody on the last day of any month in 2020, or no more than 13 including youth who were pending adjudication or pending disposition. While 2020 was an unusual year, these trends seem to indicate that on any given day there are unlikely to be more than 20 pre-OOHP youth in secure detention. There also seem to be very limited capacity needs for girls or transgender youth, indicating that it may not make sense to have a separate facility just for girls or transgender youth. There will still need to be some beds for girls and transgender individuals in temporary placement. More analysis on data prior to the COVID-19 pandemic, if available could provide greater certainty as to the estimated capacity needs.

Even if the estimate for the number of young people is correct, there are other capacity considerations. For example, if SFJPD, the court, and the placement provider do allow youth to finish their placement term after the temporary placement goes well, this will increase the number of beds needed in temporary placement.

Given the high cost and intensity of services offered by a program like SFHSA's Hub program, this option would only be appropriate for youth with the highest needs, which would likely be a subset of the placement population. The capacity needs would most likely be smaller compared to other options. SFJPD could replicate what SFHSA has done and use this kind of program in conjunction with a less intensive temporary placement option.

**Placement Length:** If SFJPD decides to place youth outside of secure detention in the post-disposition period, the department will need to consider how long temporary placements should be, including how they will serve youth who will spend an especially long time waiting for a placement match. Data analysis matching disposition dates and Juvenile Hall booking data for all youth who were committed to OOHP in 2019 or 2020 shows that on average youth spent 25 days in Juvenile Hall after their OOHP disposition date (Table 5). Twenty-one youth were in custody for over 33 days after their disposition date (above the 75<sup>th</sup> percentile), and eight youth were in in custody for over 48 days after their disposition date (above the 90<sup>th</sup> percentile). The maximum amount of time any individual spent in Juvenile Hall after disposition was 118 days. These data could be helpful for SFJPD to determine the maximum length of temporary placements.

**Service Continuity:** Currently, there are some programs that young people participate in while in custody that they have the option to continue when they are released into the community. For example, girls can participate in life skills programming provided by Young Women's Freedom Center while in custody and then request to continue when they reenter the community. SFJPD has a point-of-contact at Young Women's Freedom Center who supports this transition. Having this



strong collaboration between the community-based program and SFJPD helps to facilitate a smooth transition back into the community (Probation Officer B, 2021).

Young people could also have the option to continue programming between Juvenile Hall and a temporary placement. A setup like the one SFJPD has with Young Women's Freedom Center could help to improve the transition from secure detention to a temporary placement.

There are some kinds of services for which continuing outside of custody would be more difficult. For example, therapy providers in Juvenile Hall specifically serve youth in custody (Probation Officer B, 2021).

**Planning:** SFHSA went through an extensive planning process for both the integrated services plan that includes the Hub and the emergency foster care program (Program Director Burriss, 2021). If SFJPD were to take either of these approaches, it would also take substantial planning. For an emergency intensive services foster care program like the Hub, SFJPD would need to identify the types of clinical interventions that would be offered and if they decided to model the community of homes like the Hub, they need to figure out where the homes would be located (Program Manager Crudo, 2021). Establishing temporary placement beds in a local STRTP would also require planning, but if SFJPD were to work with an existing STRTP, the time to implementation would most likely be faster than the other options.

**Collaboration:** When SFHSA implemented emergency foster care, they collaborated closely with AFS, frontline staff, employee unions, and individuals who had experience in the foster care system to design and the program. This inclusive process, as well as ongoing regular communication with AFS have been essential components of program's success (Program Director Burriss, 2021). Close partnerships with the placement provider, young people in placement, and agency staff seem to be an important component of temporary placement success.

### ***Tradeoffs: Temporary STRTP Placements***

In addition to the tradeoffs that should be considered for all three alternatives, the following benefits, risks, and implementation considerations are specific to pursuing the option to increase the number of local STRTP placements.

#### **Benefits**

**Familiar Approach:** Compared to the other options, placing youth in a local STRTP for a short period of time is most like what SFJPD is already doing. There are already some young people who are placed in the Boys' and Girls' Homes for short 90-day placements that give them an opportunity to stabilize. While these placements are not the same as temporary transitional placements, many similar dynamics will likely be in play.

#### **Risks**

**Rejections:** Sometimes STRTPs do not accept youth with certain histories. Probation officers in the Placement Unit pointed out that youth with the following histories tend to be more difficult to match with placements: many past AWOLs, graduated from high school or have a GED, a



significant history of violence, multiple terminations due to rule breaking and not following the program, and youth who are nearing their 18<sup>th</sup> birthday (Supervising Probation Officer, 2021).

**Challenges of Congregate Care:** Youth in temporary congregate care placements face the same risks that youth in all congregate care placements face. There is a risk that association with peers who have a history of misbehavior will have a negative effect on youth. Young people in congregate care settings also have fewer opportunities to build healthy adult attachments compared to youth in home-based settings (Dozier, et al., 2014).

## Implementation Considerations

**Provider:** While AFS has emerged as an ideal provider to work with SFJPD on implementing emergency foster care, the ideal provider for temporary STRTP placement beds is less clear. SFJPD has three options: to partner with an existing STRTP, contract with a different agency to create a new STRTP, or create a county-run STRTP. The following are factors SFJPD should consider in weighing which option to choose. Which path SFJPD chooses will have implications for how quickly the department will be able to implement this option.

1. **Invest in temporary beds in an existing local STRTP:** The benefit of this approach is that Catholic Charities and Edgewood Family and Children Services are already certified to operate STRTPs in San Francisco. They also have existing contracts with San Francisco City and County departments. For this reason, partnering with either of these agencies to provide temporary beds most likely be faster and less administratively burdensome compared to other options. However, depending on capacity requirements, SFJPD may need to work with a provider to acquire more space for temporary placement beds, which would slow down the implementation process. Alternatively, SFJPD could consider working with Catholic Charities to repurpose the Girls' Home as a space for temporary beds. It seems that this would be the fastest route to implementation. However, SFJPD would need to plan for where else to place girls locally. Any change in STRTP programming has to be approved by the California Department of Social Services.
2. **Contract with a different community-based organization to create a new STRTP:** This approach would require SFJPD to go through a competitive bidding process to identify an organization who could serve this purpose. Such a process would most likely take a significant amount of time. Furthermore, since Catholic Charities and Edgewood are the only non-profit agencies in San Francisco who are certified to run an STRTP, SFJPD would need to partner with an STRTP certified agency from outside the county or work with an agency that will need to be newly licensed to run an STRTP. Working with an agency outside the county may go against the principles of re-investing in the San Francisco community. Working with an agency that needs to get a new STRTP license will add significant implementation delays because the process to get certified by the California Department of Social Services Community Care Licensing Division is very lengthy and time-consuming. SFJPD would also need to work with the selected provider to acquire a location for the STRTP. The benefit of this approach is that SFJPD would likely have more control over the design of the program.

3. **Create a County-Run STRTP:** The county itself could become certified to run an STRTP that could provide temporary placement beds. SFHSA used to run the Child Protection Center, an emergency shelter for youth in the child welfare system, and SFJPD has experience running Juvenile Hall. Like the option to contract with a new community-based organization, the county would have to go through the lengthy certification process with the state and would need to acquire a new building. However, this way the county could avoid undergoing a competitive bidding process. To avoid certifying a new facility, SFJPD could explore the possibility of acquiring the Girls' Home and running it in house. More analysis would be needed to evaluate the feasibility of this option. Notably, when SFHSA had the option to get the Child Protection Center licensed as an STRTP, they decided against it. They chose to invest in a continuum of emergency home-based placements instead (Program Director Burris, 2021).

If SFJPD chooses to pursue investing in temporary placements in a local STRTP, the department's plan to address the lack of local placements should also be taken into consideration. If SFJPD were to decide on expanding local STRTP placement capacity or improve the quality of local placements, it may be a good idea to combine this effort with the effort to create temporary placement options.

### ***Tradeoffs: Emergency Foster Care***

#### **Benefits**

**Home-Based Care:** An added benefit of emergency foster care is that it would expedite the time to which a young person will be in a home-based setting. One of the goals of Continuum of Care Reform is to move more young people from congregate care to home-based placements. Emergency foster care adds another opportunity for home-based placements, helping to solve another challenge for SFJPD.

#### **Risks**

**Rejections:** There is a risk that because of the stigma associated with youth in the juvenile justice system, some youth will be hard to place with resource family homes in an emergency foster care program. In particular, youth with gun-related offenses or a history of gang involvement could be hard to place (Alternative Family Services CEO Jay Berlin, 2021).

**Resource Family Recruitment:** In the past, SFJPD has had trouble recruiting non-relative resource families. If SFJPD were to pursue creating an emergency foster care program through a contract with an FFA, like Alternative Family Services, the department would have support in recruiting resource families. However, AFS has less experience recruiting resource families to serve youth on probation (Alternative Family Services CEO Jay Berlin, 2021).

### ***Tradeoffs: Emergency Intensive Services Foster Care***

#### **Benefits**

**No Rejections:** SFHSA's emergency intensive services foster care program, the Hub, has a no reject no eject policy (Program Manager Crudo, 2021). This kind of program at SFJPD would

provide a temporary placement opportunity for youth who may not be accepted into one of the other temporary placement alternatives because of their offense histories or high needs.

**High-Level Home-Based Care:** Youth in these placements would have access to high level mental and behavioral health support (Program Manager Crudo, 2021). Like regular emergency foster care, youth will also be in a home-based setting. For youth who require this level of care, this would be a good option.

## Risks

**Resource Family Recruitment:** SFJPD could anticipate the same recruitment challenges as with emergency foster care. Even though Seneca has had success in recruiting families to serve very high needs youth, it could be more difficult to find families who will work with youth who have committed delinquent offenses.

**Retaining Resource Families:** SFHSA and Seneca have had a difficult time retaining some resource families who care for youth as part of the Hub program (Program Manager Crudo, 2021). It is possible that SFJPD would experience similar challenges in such a program.

**Integration with Longer-Term Placements:** In the implementation of the Hub program at SFHSA, they have found that ultimately some young people with complex behavioral and mental health needs need a longer-term placement solution. Providing an ISFC home for each youth for a temporary period and then placing them in a congregate care setting when they have already experienced multiple placement failures contradicts the stability and continuity that is often necessary for a more effective treatment approach (Program Manager Crudo, 2021). It seems likely that SFJPD would come to a similar conclusion with this kind of program.

## Implementation Considerations

**Funding:** While funding is a consideration for all options, emergency intensive services foster care is a resource intensive program. It costs about \$2,000 per youth per day. It is funded through Title IV-E foster care funding streams and receives mental health funding through Medi-Cal. Additional general fund dollars also support the program (Program Manager Crudo, 2021).

## Addressing Lack of Resource Family Placements

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The following section includes discussion about the benefits, risks, and implementation considerations SFJPD should weigh in deciding how to address the post-disposition time young people spend in secure detention. The options under consideration include maintaining the status quo, contracting with an FFA to recruit and retain resource families, establishing a TFCO program, or referring more youth to Family and Me.

**Table 7. Summary of tradeoffs: Addressing Lack of Resource Family Placements**

	Benefits	Risks	Implementation Considerations
<b>Status Quo</b>		(-) Few non-relative resource family placements (-) Lack of support for resource families	
<b>All Non-Status Quo Alternatives</b>	(+) More home-based placements		Resource family barriers for youth
<b>Contract with Foster Family Agency</b>	(+) Specialized experience (+) High levels of support	(-) Resource family recruitment	Targeted recruitment
<b>Establish TFCO program</b>	(+) Evidence based (+) Family support	(-) Implementation fidelity (-) Youth refusal (-) Aftercare family requirement	Provider Costs
<b>Refer more young people to Family &amp; Me</b> <i>(specifically with youth who have experienced CSEC)</i>	(+) Currently available (+) Specialized services (+) AWOL response (+) Develop CSEC expertise	(-) Ongoing funding security (-) Slow matching	Communication

### **Risk of Inaction**

If SFJPD does not pursue any of the options presented in this report for increasing the number of resource family placement options for probation youth, the department will most likely continue struggling to recruit non-relative resource families as it has in the past. As a result, there will continue to be young people who are placed in congregate care settings who could be served in a regular non-relative resource family home or in an ISFC home. This situation is out of compliance with the principles of CCR and exposes more young people to the potential harms of congregate care.

There is also a risk that existing resource families will continue to receive low levels of support specifically for the challenges they face as resource parents. Probation officers who support resource families during placement are mainly focused on meeting the needs of the youth. While resource families have access to the City’s Mobile Response Team run by the Seneca Family of Agencies, few families have used this resource.

### **Benefits of All Alternatives**

By pursuing one of the proposed strategies to increase the number of resource family placements, SFJPD will be able to offer more young people the opportunity to stay in a home-based setting during placement. These youth will have more opportunities to form healthy adult attachments and be in a setting that has been found to be more effective at reducing future juvenile justice involvement.

## ***Implementation Considerations for All Alternatives***

**Resource Family Barriers for Youth:** The effectiveness of resource family placements depends both on the department's ability to identify resource families and the experience of young people in those homes. During SFJPD's partnership with RDA in 2019, RDA held focus groups with youth to learn about their experiences in resource family placements. They identified three primary barriers for youth (Freedman, Ramoabi, & Nwobilor, 2019):

1. Lack of trust in the justice system,
2. Lack of shared expectations about the resource family setting,
3. Feeling that resource families do not meet their needs and that they do not belong.

RDA also identified three areas of need for youth in resource family placements (Freedman, Ramoabi, & Nwobilor, 2019):

1. Resource families should provide stability and show compassion,
2. Resource families understand unique challenges probation youth face,
3. Youth should have access to financial and psychological support while in a resource family home.

Regardless of which non status quo alternative the department decides to pursue, these findings can be helpful to SFJPD as they implement a plan to increase the number of resource family placements.

## ***Tradeoffs: Contract with a Foster Family Agency***

The following are tradeoffs that will come with contracting with a Foster Family Agency to recruit and retain resource families.

### **Benefits**

**Specialized Experience:** Resource family recruitment and retention is a core function of Foster Family Agencies (FFAs). FFAs can put many resources into bringing in community members to serve as resource families (Alternative Family Services CEO Jay Berlin, 2021). Alternative Family Services has a track record of recruiting families to serve youth in the child welfare system. In fiscal year 2019-20, the agency had 291 total approved foster homes throughout the state. While SFJPD has been successful in recruiting a decent number of relatives to serve as resource families, the department has had much more trouble finding non-relatives who will take in youth.

**High Levels of Support:** FFAs are well situated to support youth and resource families. While SFJPD does little to support families outside of the Children and Family Team meetings, AFS has staff available 24/7 to help families and youth get through challenges they face in the home. These supports are especially essential in ISFC homes where youth have higher level needs. Through availability, flexibility, and creativity AFS caseworkers build trust with resource families, which helps the agency retain families even when it gets difficult (Alternative Family Services CEO Jay Berlin, 2021).

## Risks

**Recruitment:** Like with emergency foster care, resource family recruitment is again a risk of relying more on resource families. Although FFAs have extensive experience in resource family recruitment, it remains to be seen whether they will have as much success recruiting families to work with young people in the probation system. Even though there is substantial overlap between youth in probation and in child welfare, there is still a stigma about probation youth that could make it more difficult to find resource families. However, a targeted recruitment strategy, discussed in the next section, could help to address this risk.

## Implementation Considerations

**Targeted Recruitment:** Internal research at SFJPD has concluded that targeted recruitment of individuals who work with youth on probation substantially diminishes the stigma because they understand the challenges and are better able to meet youth where they are on the spectrum of need (Social Worker, 2021). During SFJPD's partnership with RDA in 2019, RDA conducted a series of focus groups to find out which populations are most interested in serving as resource parents for justice-involved youth. They found that extended family members, family friends, and grandparents who are mobile and able to function independently are good candidates for relative resource families. They found that African American and Latinx community leaders and mentors, especially in the Bayview and Hunters Point neighborhoods, teachers, school resource officers, and fire fighters may be good candidates for non-relative resource families (Freedman, Ramoabi, & Nwobilor, 2019). This information can be helpful to an FFA in establishing resource family recruitment strategies.

## *Tradeoffs: Establish a TFCO Program in San Francisco*

### Benefits

**Evidence-Based:** TFCO is an evidence-based model that has shown promising results with young people who have high levels of justice system involvement. It was the only home-based care program identified in this study that was designed specifically for working with young people in the juvenile justice system. However, it was notable that only one of the certified programs in the U.S. appears to work with this population.

**Family Support:** The TFCO program is also unique in its support for young people's families. While TFCO does not provide families with housing or employment opportunities, the therapy and training aftercare families get through the program can help parents learn how to address youthful misbehavior, which is meant to reduce home removals in the future. No other resource family programs studied seemed to provide so much direct support to families.

### Risks

**Implementation Fidelity:** Agencies that are certified to use the TFCO program must maintain fidelity to the program to maintain their certification (TFC Consultants, Inc. President John Aarons, 2021). This possibly could limit the department's ability to adapt the program to specific young people's needs.



**Youth Refusal:** There is also a risk, like Orange County experienced, that youth will refuse to participate in the program. However, youth on probation, especially those who have been in congregate care placements, may be more used to very structured programs that include high levels of surveillance. Furthermore, young people can refuse to participate in any program. It is unclear if they would refuse to participate in TFCO more than other options.

**After Care Family Requirement:** While the aftercare family services are a definite benefit of TFCO, youth are required to have an aftercare family to participate. The aftercare family does not have to be a young person's biological parents. It can include anyone from the young person's network who will commit to caring for them after placement is over. Youth can also participate in the program if they will exit into an independent living situation. Still, some youth may not have people who could serve as an aftercare family. In deciding whether to pursue TFCO, SFJPD should consider how many young people the aftercare family requirement could leave out.

### Implementation Considerations

**Provider:** TFCO is a program model, not a provider. If SFJPD were to implement a TFCO program in San Francisco, the department would still need to find a way to recruit resource families and hire staff, either internally or through a contract. In Orange County, Social Services administers the program internally.

**Costs:** TFCO is an expensive program. Blueprints Programs estimates that it could cost over \$530,000 to implement ten TFCO beds in the first year. That would be around \$43,000 per youth for 7.5 months of treatment. A significant portion of the costs could be funded by the state and federal governments. The program would be somewhat less expensive in future years, when startup costs are already established (Treatment Foster Care Oregon, n.d.). Even at the high cost, the Washington State Institute for Public Policy found that compared to the cost of a congregate care placement and taking in the full impacts of the program, TFCO has a \$1.85 benefit to cost ratio (Benefit-Cost Results: Multidimensional Treatment Foster Care (MTFC) (vs. group homes) for court-involved youth, 2019). In considering the TFCO program, SFJPD should figure out exactly how much TFCO would cost compared to other ISFC programs available to the City.

### *Tradeoffs: Refer More Young People to Family and Me*

#### Benefits

**Currently Available:** A major benefit of Family and Me (FAM) is that it is an existing intensive foster care program that SFJPD can currently refer youth to. This is potentially the fastest pathway to placing more youth with resource families.

**Specialized Services:** It is also unique in its programming for CSEC youth and youth at risk of CSEC, which likely includes many adolescents, especially girls, on probation. This makes the program an especially good option for these youth. But also means that it will not serve all youth who could benefit from a resource family placement.

**AWOL Response:** Furthermore, the secondary caregiver component of FAM is promising. The shared caregiving model is based on the hub-home model piloted by Mockingbird in Washington and other similar programs across the U.S, which have been shown to decrease runaways and

increase the length of placement. In the FAM program, youth will be allowed to stay with the secondary caregiver if they need a break from the primary caregiver (or other people/things), which may give them a chance to cool off and regroup instead of running (FAM Director Bailey, 2021).

**Develop CSEC Expertise:** Freedom Forward, the organization that runs FAM, specializes in preventing sexual exploitation of youth and supporting survivors. There is an opportunity for SFJPD to learn from Freedom Forward about how to better support this population through a FAM partnership.

### Risks

**Ongoing Funding Security:** The secondary caregiver feature of the FAM program is funded through a grant from the California Department of Social Services. The grant currently goes through mid-2022 at which point FAM could be at risk of losing funding for this part of the program if Freedom Forward is not able to secure another grant.

**Slow Matching:** So far, it has taken FAM a significant amount of time after a youth is referred to the program for them to be placed. No young people have been placed with families so far, but six youth have been referred. FAM is not an emergency placement program. They give youth opportunities to meet with resource families before moving in with them and allow for youth to live with family members or kin if they choose. This is part of their core values to prioritize youth voice and choice. This approach does seem beneficial from a service perspective, but for youth on probation it is problematic if they end up waiting in secure detention for a long period of time before the placement match. The extended matching process may be less problematic if SFJPD has an effective non-secure alternative to Juvenile Hall for youth in the pre-placement phase.

### Implementation Considerations

**Communication:** Currently, an SFHSA staff member attends the monthly check-ins regarding FAM's implementation progress. There is no representative from SFJPD at these meetings (FAM Director Bailey, 2021). To stay updated on FAM's progress and learn about opportunities to better leverage this option for youth at SFJPD, the department could consider identifying a staff member to attend FAM's monthly check-in meetings.

## VIII. Recommendations

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### Addressing Post-Disposition Time in Secure Detention

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The following are recommendations for how SFJPD can reduce the time youth spend in secure detention after they receive an out-of-home placement (OOHP) disposition.

1. **SFJPD should secure at least 15 temporary placement beds, whether family-based, congregate care, or a combination, for youth awaiting an OOHP match.**

The available point-in-time data show that at a maximum, there were 13 youth awaiting placement in Juvenile Hall in 2020. Counting only youth who were post-disposition, the



maximum was nine. The year 2020 was unusual because of the COVID-19 pandemic. There were fewer youth in Juvenile Hall and fewer OOHP dispositions that year. However, data from January and February of that year, before the pandemic hit, and limited data from 2019, indicate that in non-pandemic months fifteen temporary beds would be enough.

While SFJPD should start by securing 15 temporary placement beds, the department should be open to securing additional beds if after the pandemic is over, they find that 15 beds are unable to meet the need.

**2. Youth should be able to stay in temporary placements for up to 90 days, with the goal that most youth will stay for three weeks or less.**

Analysis of Juvenile Hall booking data joined to OOHP disposition dates shows that on average, youth spend 25 days in secure detention after their disposition date. The 75<sup>th</sup> percentile in the distribution was 32 days, showing that most youth are matched with a placement within a month. There were 20 individuals in the top 25 percent of the distribution and only one of them waited in Juvenile Hall after disposition for over 90 days.

While SFJPD can expect that most youth will only require a temporary placement for around three weeks. There will be some individuals who will need longer temporary placements. Allowing for youth to stay in a temporary placement for up to 90 days will cover the post-disposition waiting period for just about all youth, except for in very limited circumstances.

**3. SFJPD should contract with a Foster Family Agency to create an emergency foster care program modeled after SFHSA's contract with Alternative Family Services. SFJPD should prioritize this option for youth who are exiting secure detention into a temporary placement.**

SFHSA's emergency foster care program has been an effective temporary placement alternative to the Child Protection Center, an emergency congregate care shelter the City closed in 2019. The program is administered by Alternative Family Services, an FFA. SFJPD should model an emergency foster care program after the SFHSA program and contract with an FFA to administer it. In such a program, SFJPD will have a pool of resource families available to take in youth on or prior to their OOHP disposition date. Young people will be able to stay with the emergency resource family until they are matched with a longer-term placement.

This program will allow for youth to exit secure detention earlier. It will also provide an opportunity for more young people to be in a home-based setting more quickly. Home-based settings are preferable to congregate care because they allow for youth to create healthy adult attachments and avoid negative influence from delinquent peers. Home-based settings are also more conducive to better educational and less future court involvement. Under Continuum of Care Reform, county placing agencies, like SFJPD are required to consider home based placements before congregate care. An emergency foster care program will also allow for SFJPD to be in better compliance with CCR. For these reasons, SFJPD should prioritize placing youth in emergency foster care for temporary placements.

Girls have a particularly hard time in congregate care. Girls run away from placement at a higher rate than boys. This is part of the reason the Girls' Home, the STRTP in San Francisco for girls, has been underutilized. Home-based placements provide girls with the relational attachments they are looking for. When appropriate, SFJPD should especially prioritize placing girls in emergency foster care. Data from 2019 and 2020 show that there were many fewer girls than boys in Juvenile Hall in the post-OOHP disposition period.

Home-based placements are also preferable for youth who have experienced commercial sexual exploitation. A resource parent can help CSEC youth understand how to identify healthy relationships. However, emergency placements for these youth are somewhat more complicated. It is not uncommon for abusers of CSEC youth to see them out while they are in placement. This poses challenges for the resource family and is sometimes a reason to place these youth further away from San Francisco.

- 4. SFJPD should acquire temporary placement beds in a local STRTP where youth can stay during the pre-placement period. This option should be used for youth who cannot be placed in an emergency resource family.**

While emergency foster care is the preferred strategy for temporary placements, not all youth will realistically be suitable for an emergency foster care placement. Some youth have offense histories or behavioral and mental health needs that exceed the capacity of an emergency resource family. For this reason, SFJPD should also reserve local STRTP beds to serve as temporary placements.

One potential approach to securing temporary local STRTP beds is to convert beds in the Girls' Home for this purpose. The Girls' Home is currently underutilized and would likely serve more youth if it had temporary placement beds. As explained in the prior recommendation, girls are more likely to be successful in a home-based placement, so a combination of placement options that provide more opportunities for resource family placements could further reduce the need for the Girls' Home. Still, there will be a small number of girls who will need a temporary or longer-term placement in a local STRTP. If SFJPD were to convert the Girls' Home to a temporary placement location, they would need to find another local congregate care placement option for these girls.

Converting the Girls' Home is just one potential avenue that SFJPD could take to secure temporary STRTP placement beds. SFJPD could also work with Catholic Charities or Edgewood to create a new STRTP, contract with a different agency to create a new STRTP, or create a new county-run STRTP. More analysis is needed about the feasibility of each option.

SFJPD should expect that AWOLs from temporary placements will likely be an ongoing challenge with both emergency foster care and temporary placements in a local STRTP.

- 5. SFJPD should consider allowing for youth to complete their placement in a temporary placement if it is going well. Doing so will likely increase the capacity needs in temporary placements.**

Allowing youth who are doing well in a temporary placement to stay in that placement for their full placement will reduce the number of transitions they will experience in the placement process. Additionally, the temporary placement options proposed in this report are less restrictive than other placement options available to youth. For example, a local STRTP placement is in some ways less restrictive than an out-of-county STRTP placement because a young person is closer to their family and community. If SFJPD allows youth to stay in a temporary placement if they are doing well, there will most likely be more youth in less restrictive placements.

However, allowing youth to complete their placement in a temporary placement will also increase the capacity requirements for temporary placements because some placement beds would be occupied for much longer than the typical two to four weeks. Given the challenges that may come with recruiting resource families and securing temporary placement beds, SFJPD will need to further consider the feasibility of this recommendation.

I have not recommended that SFJPD pursue an emergency intensive services foster care program, like the Hub program at SFHSA, because, while this is a good option for youth with complex needs, it appeared to be an inefficient way to provide temporary placements. It is a very expensive model and serves youth who are difficult to place and ultimately need a longer-term placement option. Instead, the department could consider creating a program like the Hub for full-length placements for youth who require intensive services foster care. This study did not analyze that option in comparison to the other strategies to increase resource family placements.

## Addressing Lack of Resource Family Placements

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The following are recommendations for how to increase the number of resource family placement options available to youth at SFJPD.

- 6. SFJPD should contract with a Foster Family Agency to recruit and retain resource families. The FFA should help the department recruit non-relative, and ISFC certified resource families. The FFA should also provide supportive services to these resource families.**

In the child welfare context, this is a common model for connecting children and youth with resource families. Probation youth in OOHP are also part of the foster care system and there is significant overlap between these populations in terms of behaviors, needs, and individuals. Probation youth deserve to have the same range of placement options available to them as youth in the child welfare system.

While there are risks that resource family recruitment will be challenging because of stigma against system-involved youth, SFJPD has already identified targeted populations who may be more willing to take in these youth. Furthermore, FFAs specialize in resource family recruitment. Partnering with an FFA in this work is a much more promising approach than SFJPD's current recruitment strategy.

- 7. SFJPD should continue to refer youth who have CSEC experience or are at risk of CSEC to Family and Me. However, these youth will need a temporary placement**

**option while they are matched with a resource family so that they do not remain in custody during the matching process.**

FAM is an existing ISFC program that probation youth can already be referred to. About three probation youth have already been referred to the program. FAM is specifically designed to serve youth who have experienced commercial sexual exploitation (CSEC) or are at risk. While FAM is still a pilot and has yet to place any youth with a resource family, it is a promising model that has the potential to limit AWOLs in these placements by including a secondary caregiver. SFJPD should continue to refer youth in OOHP with CSEC experience or those at risk to FAM. Because commercial sexual exploitation is more common among girls on probation, this is particularly good option for girls.

However, the fact that the placement matching process has so far been long for youth referred to FAM will pose a challenge for SFJPD. There is a risk that some youth referred to FAM may have to wait in Juvenile Hall for a match with a resource family is made. Temporary placements, like those proposed in this report, can help ensure that these young people are not in secure detention during the placement matching period.

**8. SFJPD should designate a staff member to attend monthly Family and Me meetings to stay up to date on the progress of the program implementation.**

Freedom Forward, the agency that runs FAM, holds monthly meetings with partners to stay in communication about implementation progress. SFJPD currently does not have a liaison in these meetings. Designating a staff member to attend these meetings would allow for SFJPD to stay informed about FAM implementation and create an opportunity for the department to learn how to better identify and serve youth who have experienced commercial sexual exploitation.

**9. SFJPD should encourage existing resource families to use the City's Mobile Response Team as a source of support during crisis situations and to help prevent crises.**

Resource families already have access to the City's Mobile Response Team administered by the Seneca Family of Agencies. While resource families are already informed that they can use this resource, few have done so. Helping resources families understand that this resource can be available to them during crises and to help prevent crises may lead to more utilization of this resource. While the Mobile Response Team is not a designed to provide long-term care and does not appear to provide respite care services or other services specifically targeted towards resource families, this could be one way to increase support for existing resource families in the short-term.

I did not recommend that SFJPD establish a TFCO program for a few reasons. First, TFCO is a program model, not a service provider. Therefore, if SFJPD were to pursue this option, they would still need to find a way to recruit ISFC certified non-relative resource families to serve as TFCO parents and hire staff to serve as the TFCO treatment team. This could be done either through an FFA or in house. SFJPD could certainly go this route, but it seemed more complicated than working with an FFA that already has its own ISFC program design. The second reason I did not

recommend this option is that it was difficult to tell how different or more effective it is than ISFC services offered by an FFA, like Alternative Family Services. It is true that TFCO has been rigorously evaluated, but in lack of evaluations of other programs, it is hard to compare.

This is not to say establishing a TFCO program should be off the table. Rather, SFJPD would need to further investigate the specific programmatic differences between TFCO and other ISFC programs available to the department to understand if it is worth the investment to pursue TFCO.

## Other Considerations

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### **10. SFJPD should engage in a collaborative and inclusive process to develop the program design and implementation plans for all new placement options recommended above. Voices of family and youth impacted by the juvenile justice system should be centered.**

In SFHSA's experience implementing emergency foster care, collaboration with staff at all levels of the department and with the FFA who administers the program was essential to the program's success. SFJPD should also use a collaborative process to plan for the design and implementation of the recommendations above.

Furthermore, this study, despite outreach attempts, including incentives, was not able to include interviews of youth with experience in OOHP or their families. Therefore, the analysis and recommendations do not thoroughly consider youth and family needs and desires as defined by individuals themselves. This is a serious limitation of this study. Youth and family voices should be included in SFJPD's final decision about whether and how to implement these recommendations.

## IX. Conclusion

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As San Francisco moves towards major reforms to its juvenile justice system, reconsidering how the system treats young people at the deepest end of the system will be critical in creating a system that truly centers rehabilitation and racial equity.

A comprehensive look at the available data on youth in out-of-home placement (OOHP) in recent years highlights ongoing racial disparities among system-involved youth and high levels of overlap between the child welfare and juvenile justice systems in San Francisco. It also shows that young people in OOHP make up a small percentage of all youth involved in the San Francisco juvenile justice system and that those who are in OOHP have high levels of involvement with the Juvenile Court.

The recommendations set forth in this report will help San Francisco reduce the amount of time young people spend in secure detention and increase the number of OOHP youth who are in home-based settings. Both approaches will allow young people to learn and grow in less restrictive environments that are more conducive to positive youth development.

Two additional challenges with OOHP stood out in the data and stakeholder interviews, which were beyond the scope of analysis in this report: consistently high AWOL rates and a lack of placements located in the City. Finding ways to address these challenges will be a necessary step in further improving the effectiveness of OOHP as a response to youthful misbehavior.

Finally, while the San Francisco juvenile justice system seems to remove young people from their homes in very limited circumstances, in the interest of keeping young people with their families and in their communities as much as possible, there are more nontraditional strategies to reduce OOHP the City could explore. For example, stakeholders I spoke to floated the idea of providing more resources (including financial resources) directly to families to help them overcome challenges in the home. Some jurisdictions throughout the nation have engaged in a deep-end reform process with the Annie E. Casey Foundation to reduce their use of OOHP (Leading with Race to Reimagine Youth Justice, 2020). These options could be a fruitful topic for future exploration as San Francisco moves towards more transformational reform.

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