



Emerging Adults and the Criminal Justice System
Specialized Policies, Practices & Programs
September 2017

Loyola University Chicago
Center for Criminal Justice Research, Policy and Practice



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CONTENTS:

i.	OVERVIEW & INTRODUCTION	Page 3
I.	PREVENTING ENTRY OF EMERGING ADULTS INTO CRIMINAL JUSTICE SYSTEMS	Page 5
	A. Targeted interventions for emerging adults “at risk” of system involvement	
	B. Conflict de-escalation, crisis response and violence interruption strategies	
	C. Deflection or diversion from arrest	
	D. Jurisdictional boundaries	
II.	STRATEGIES FOR EMERGING ADULTS CURRENTLY INVOLVED IN CRIMINAL JUSTICE SYSTEMS	Page 8
	A. Pretrial	
	◦ Bond / release decisions	
	◦ Alternatives to pretrial jail	
	◦ Alternatives to formal prosecution or conviction	
	B. Trial	
	◦ Confidentiality protections / closed courtrooms	
	◦ Specialized courts	
	C. Sentencing	
	D. Community Corrections	
	◦ Specialized assessment	
	◦ Specialized probation / supervision & services	
	◦ Community-based programming / alternatives to incarceration	
III.	CORRECTIONS / PRISON STRATEGIES	Page 16
IV.	REENTRY / TRANSITION FROM SYSTEM INVOLVEMENT	Page 18
	◦ Specialized parole strategies	
	◦ Reentry services	
	◦ Records relief	
ii.	SELECTED SOURCES	Page 19

Overview:

This document provides information on policies, programs and services dedicated and / or available to emerging adults¹ – generally defined as 18 – 25 year olds or a subset thereof – in contact with criminal justice systems across the United States, including Cook County.

This age group is deserving of special focus, because neuroscientists and developmental researchers have found that the human brain continues to develop until approximately age twenty-five, with different parts of the brain developing in stages. While general cognitive ability matures by the mid-teens, areas of the brain that control judgment, reasoning and impulse control are continuing to develop. And physical maturity is independent of developmental capacity. This unique developmental phase is characterized by distinct features – such as identity exploration, impulsivity, sensitivity to peer influence, risk-taking and instability – and may give rise to particular risks for criminal justice system involvement. A wide variety of psychological disorders and behavioral problems (such as substance abuse) reach their peak during the emerging adult years. Data analyses consistently indicate that young adults are significantly overrepresented at every phase of the criminal justice system – from arrest to corrections. On the other hand, emerging adults are highly amenable to positive change and development and “desistance” from criminal offending, if justice stakeholders and other support systems respond effectively. In short, attaining positive criminal justice outcomes requires developmentally appropriate, fair and effective interactions with this population of emerging adults.²

While there are thousands of public agencies and community-based organizations interacting with emerging adults, this inventory focuses on identifying, categorizing and describing those services or supports *provided by* criminal justice or related public agencies, *developed or provided in collaboration* with those agencies, or programs which *primarily serve people referred* by criminal justice agencies.

The document’s content is drawn from a number of sources, including the National Institute of Justice (NIJ) *Environmental Scan of Developmentally Appropriate Criminal Justice Responses to Justice-Involved Young Adults*.³ The report is organized around *key justice system decision points* and highlights specialized statutes, policies, practices or programs which: a) *divert or deflect* young adults from justice system involvement; b) provide developmentally-tailored services or supports to young adults *formally involved* in the justice system; and / or c) seek to reduce barriers to successful community reentry or transitions to adulthood for young adults *leaving* justice systems (including jail or prison).

It is important to note that these categories (and thus the programs and strategies described in each section) may overlap. For example, specialized courts frequently utilize specialized probation staff or strategies, while specialized probation strategies could also properly be categorized as alternatives to incarceration. Community-based programs which serve as alternatives to incarceration may coordinate extensively with probation agencies. Therefore, the document should be read as a whole to understand the range of strategies, policies and programs jurisdictions across the country are using to improve outcomes when young adults are in contact with or involved in criminal justice systems.

¹ The terms “emerging adult” and “young adult” are used interchangeably in this document.

² See Rolf Loeber and David P. Farrington, *From Juvenile Delinquency to Adult Crime* (2012)

³ CONNIE HAYEK, ENVIRONMENTAL SCAN OF DEVELOPMENTALLY APPROPRIATE CRIMINAL JUSTICE RESPONSES TO JUSTICE-INVOLVED YOUTH ADULTS (2016), <https://www.ncjrs.gov/pdffiles1/nij/249902.pdf> (a comprehensive catalogue of criminal justice-related interventions for young adults and detailed information about programs which meet these criteria).

Other sources are included in a bibliography at the end of this report.

Finally, it should be noted that inclusion in this document does not necessarily indicate adherence to an evidence-based practice model nor endorsement of the practices or policies described. There are no existing outcome studies evaluating the success of many of the initiatives discussed in the document; others may have the potential of “net widening” or increasing the number of young adults formally involved in the justice system in order to access services. This report should be used as a resource to identify the range of decision points at which the risks, needs and assets of young adults can be considered, to develop locally-tailored strategies to safely divert and deflect young people from justice system involvement or incarceration, and to protect public safety, improve individual and community outcomes and utilize resources most effectively.

I. PREVENTING ENTRY OF EMERGING ADULTS INTO CRIMINAL JUSTICE SYSTEMS

This section describes programs which serve young adults who have been individually identified as “at risk” for criminal justice involvement. Methods for identification of these young adults vary, and in some cases include a focus on those who have been system involved as youth. This section also describes programs and strategies which utilize public health or violence interruption strategies to reach young adults in high-crime / high-violence / under-resourced neighborhoods. It should be noted that there are potentially hundreds of public health and other prevention programs which serve youth, young adults and others in an attempt to prevent offending and improve well-being of communities. These programs have been included here because they partner with justice system agencies or actors to reach emerging adults who may be at significant risk of system involvement. Programs which serve young adults *currently* under the supervision or jurisdiction of a court are described in Sections II and III.

A. TARGETED INTERVENTIONS FOR EMERGING ADULTS “AT RISK” OF CRIMINAL JUSTICE SYSTEM INVOLVEMENT

Youth Village LifeSet Program – Multi-State Program

This program provides supportive services to young adults 17 – 22 years old who are aging out of foster care placement or the juvenile justice system. Participants may or may not be involved in the criminal justice system. Provided through a community-based provider agency, the program utilizes specialists with small caseloads (8 – 10 people) and 24 hour a day supports to clients. Services focus on building healthy relationships with supportive adults, sexual health services, education, employment and other life skills.

Right Turn Career-Focused Initiative – Washington, DC

This program, which is offered through the local federally-funded Center for Workforce Development, serves teens and young adults, with a focus on those with disabilities and living in high-crime / high-poverty areas. The program creates an individualized career readiness plan and utilizes workforce readiness, soft-skills, internships, work placements, restorative justice and training strategies to place clients with sustainable employment opportunities.

Red Hook Community Justice Center – New York, New York

This community justice hub provides special supports to youth and young adults who have been justice-system involved, with the goal of keeping them from continued justice system involvement. Strategies include mentoring and connection with supportive adults, peacemaking and restorative justice opportunities and education, housing, and employment supports. Justice system stakeholders, including police, courts and the local housing authority can refer participants, as can families and others. Young adults can also self-refer and engage.

B. CONFLICT DE-ESCALATION, CRISIS RESPONSES & VIOLENCE INTERRUPTION STRATEGIES

Youth Violence Reduction Partnership – Philadelphia

This program targets young men, ages 14 – 24, living in the city’s most violent neighborhoods and identified as highest risk to be a homicide victim or perpetrator. Through a partnership among the police, probation, district attorney and community-based partner, the program provides drug treatment, education, employment, mentoring, crisis intervention, housing supports / linkages and other resources. The program uses “street workers” with life experiences similar to participants and seeks to reduce homicides in the targeted areas.

Safe and Successful Youth Initiative – Massachusetts

The SSYI utilizes public health and violence reduction strategies in participating Massachusetts cities, selected based on crime data and an application process. Clients are young adults 14 – 24 years old, most or all of whom are justice system involved, who have been identified as high risk for violence perpetration or victimization. Services vary among participating cities, but focus on active outreach to potential clients, mental health services, education, case management, soft skills / life skills, subsidized employment and projects which connect young adults to their communities in positive ways. (The largest of the SSYI programs are Roca and UTEC, described separately in this document.)

Programs in this section serve young adults who have been *individually* identified as “high risk” to engage in or be victimized by crime or violence.

ROCA Intervention Model – Boston, Massachusetts

The ROCA Intervention Model, which is currently one of the Massachusetts SSYI programs (see above), utilizes intensive and comprehensive strategies to engage “highest risk” young adults age 17-24 who have “failed” in traditional learning or social services contexts and disrupt a cycle of incarceration, violence and poverty. This multi-year program focuses on relationship building, positive supports and engagement of public systems – including law enforcement and criminal justice systems. It includes life skills, education, problem-solving, violence interruption and employment. *Program data indicates significantly lower offending, arrest, incarceration and probation violation rates and significant advances in education, employment and well-being.*

UTEC – Lowell, Massachusetts

One of the Massachusetts SSYI programs, UTEC serves young adults with histories of gang involvement, serious offending and / or incarceration. It seeks to reach and engage these clients and connect them to their communities through healthy, sustainable relationships, civic engagement, social justice activities and “enterprise opportunities” relevant to their neighborhoods. Participants are linked to additional treatment services, as needed, and work closely with a “transitional coach” who supports them in a transition to adulthood and away from continued criminal justice system contact.

C. DEFLECTION OR DIVERSION FROM ARREST

None noted: While a number of specialized approaches have been developed to improve overall interactions between *youth* and police⁴, to divert younger teens from arrest or system

⁴ E.g. *Bridging the Divide – Chicago* (<http://www.ymcachicago.org/programs/youth-safety-and-violence-prevention-bridging-the-divide>); *Policing the Teen Brain* (<https://strategiesforyouth.org/for-police/training>); and *Effective Police Interactions with Youth training curriculum* (<http://www.ct.gov/opm/cwp/view.asp?q=460244>).

referral,⁵ to deescalate conflict or crisis⁶ between police and youth and / or divert a variety of “low level” offenders *of all ages* from the justice system, this scan identified no arrest diversion policy or programs focusing on the unique characteristics and needs of young adults.

D. JURISDICTIONAL BOUNDARIES

Connecticut and **Illinois** lawmakers have proposed legislation to raise the age of juvenile court jurisdiction to deflect large numbers of emerging adults from adult criminal justice systems and toward interventions which may be more developmentally appropriate and rehabilitative. The legislation has not yet been passed in either state, while impact analysis continues. See https://www.hks.harvard.edu/sites/default/files/centers/wiener/programs/pcj/files/public_safety_and_emerging_adults_in_connecticut.pdf and <http://jjustice.org/wordpress/wp-content/uploads/Young-Adults-in-Conflict-with-the-Law-Opportunities-for-Diversion.pdf>

Vermont statute provides for “youthful offender” proceedings in the Family Division of the Superior Court (instead of the Criminal Division). Effectively July 1, 2018 defendants 16 – 21 years old may file motions in criminal court to be designated a youthful offender and have their cases transferred to the Family Division, which may utilize specialized probation and conditional discharge sentences. To seek this status, a defendant must enter a conditional plea of guilty, which may be withdrawn if the Family Court declines to confer youthful offender status. 33 V.S.A. §5280 (effective 7-1-18)

⁵ Illinois’ CCBYS programs partner with law enforcement, schools and families to provide crisis response and respite services as an alternative to arrest. Created by statute and funded by the state, CCBYS programs utilize specially-trained crisis workers to deescalate conflicts within families or intervene with youth who commit status or minor offenses. CCBYS can provide “respite” placements in lieu of secure detention and follow up to identify underlying service needs and make effective linkages with community-based resources. (20 ILCS 505/17 et seq. and 705 ILCS 405/3 et seq.) <http://www.dhs.state.il.us/page.aspx?item=30768>

⁶ *E.g., CIT for Youth* (<https://www.nami.org/Get-Involved/Law-Enforcement-and-Mental-Health/What-Is-CIT/CIT-for-Youth>)

II. TARGETED STRATEGIES FOR EMERGING ADULTS CURRENTLY INVOLVED IN CRIMINAL JUSTICE SYSTEMS

A. PRETRIAL

Bond / Pretrial release decisions

Pretrial release risk decision tools have been developed to provide judges and court professionals with standardized information regarding an individual’s potential risk to commit a crime, engage in violence and / or failure to appear for court hearings if the person is released pending trial. The Public Safety Assessment (PSA), which has been developed by the Arnold Foundation and is in use or implementation stages in nearly 30 jurisdictions across the country, weighs age in its risk calculations, with young adulthood included among the risk factors assessed. The Spokane Assessment for Evaluation of Risk (SAFER), developed in Spokane County Washington, also utilizes age / young adulthood as a predictive risk factor.

Alternatives to pretrial detention (jail)

Special Options Services (SOS) - Eastern District of New York

Provides defendants 18 – 25 years old pre-trial release supervision and services based on assessment by pretrial services staff. Services include life skills, parenting, mental and physical health, and anger and stress management and frequent meetings with judges and pretrial officers to discuss progress and challenges. Participants are not required to plead guilty or make admissions. Successful participants may have charges reduced or dismissed. Does not exclude moderate or higher risk individuals, based on the federal Pretrial Risk Assessment.

Young Adult Opportunity Program - Southern District of New York

Similar to the SOS (above), this program provides pretrial release, supervision and services under the auspices of the federal court. Participants are not required to plead guilty and, if successful in the program, may have charges reduced, deferred or dismissed.

AIM Court – Dallas County, Texas

Operated by the Office of the District Attorney, this program serves 18-24 year olds charged with non-violent offenses and focuses on education and employment. To successfully complete the program, participants must earn a GED and / or obtain employment and pay a “program fee.” Program graduates have charges dismissed and immediately expunged.

Alternatives to prosecution, felony prosecution or conviction

Youthful Offender Program – Polk County, Iowa

Serves 16 – 22 year old first time felony offenders without gang involvement and provides an opportunity to have felony charges lowered to misdemeanors and the felony charge removed from their records. Includes a range of services and supervision, and a partnership with a local community college. Participants may be placed in a “residential facility” for failure to comply or for substance use relapse.

These programs, which focus on pretrial supervision and other strategies to keep young adult out of jail, seem similar to “detention alternatives” strategies in juvenile systems. Because successful participants can have charges lowered or dismissed, these strategies may be similar to deferred prosecution and diversion approaches in the section below.

PATH Program – Long Beach, California

Serves 16 – 24 year olds who have committed a minor offense. Operated by the city prosecutor, the program utilizes a specialized diversion coordinator who works with participants to develop individualized plans, which tend to focus on education, employment and life skills. Successful participants may avoid prosecution.

RETHINK Program – Santa Rosa, California

The program is operated by a community based agency through an agreement with the district attorney, defender’s office and the court and utilizes restorative justice conferences as an alternative to prosecution for misdemeanor and some felony offenses. Participants also join weekly peer group meetings as a way to create or strengthen community relationships.

Deferred Sentencing Program – U.S. District Court of Rhode Island

This program allows “young offenders” of an unspecified age with “low involvement” in the criminal justice system and nonviolent offenses to plead guilty in exchange for sentencing to the program. Participants are closely monitored by probation officers and must participate in a range of services and activities, including mental health or drug treatment, employment, school and / or community services. Failure to comply or complete the program results in sanctions which may include jail or incarceration.

Jail Programs⁷

SAVE Program – Cook County, Illinois

The SAVE program serves 18-24 year olds in the Cook County jail. Participation is voluntary, and most clients are self-described gang members who are awaiting trial on felony charges. The program serves up to 48 people at a time and houses participants in a special unit within the jail. These participants engage in cognitive-behavioral programming five days a week in 8-hour time blocs. The cognitive-behavioral curriculum is intended to help participants develop “pro-social problem solving techniques” that can reduce violence and criminal offending. Participants are also linked with community-based resources to prepare for their release and connect them with the neighborhoods to which they will return.

Other:

New York City and Massachusetts report plans to develop specialized jail units and / or programs.

B. TRIAL

Closed courtrooms / confidentiality of proceedings

Youthful Offender Designation – Alabama

Alabama law allows for trial in a closed courtroom “separate from criminal trials” for young adults designated as “youthful offender” who waive the right to a public trial by jury. See the Sentencing section below for more information. ALA Code 15-19-7 (2013)

Specialized courts

⁷ Jail-based programs may serve people held pre-trial as well as those sentenced to a jail term.

Community Court – Cook County, Illinois

Launching in Fall 2017, the Restorative Justice Community Court of Cook County will hear cases involving 18 – 26 year olds charged with non-violent misdemeanor and felony offenses. The court will operate in a neighborhood setting in North Lawndale (Chicago) and will utilize restorative approaches to bring alleged offenders together with community members and crime victims to address the harm of crime and help young adults develop the competencies needed to avoid continued involvement with the justice system. A federal grant administered by the Center for Court Administration supports the court's development.

Second Chance Community Improvement Court – Dallas County, Texas

The Dallas County Public Defender's Office, in partnership with the district court and the district attorney's office, is implementing a community court serving young adults (ages 17-25) arrested on misdemeanor and some felony charges. The court is funded by a DOJ grant and will be co-located with the South Dallas Community Court and serve the same geographic catchment area. It plans to handle "quality-of-life" complaints and require participants to complete service projects, such as cleaning up litter and painting over graffiti, and link them with mental health services, job training and substance abuse treatment, as needed.

Young Adult Court – Brooklyn, New York

Led by the District Attorney's Office and funded with a federal Smart Prosecution grant, the court serves 16 – 24 year olds charged with misdemeanor offenses. Utilizes dedicated court staff (prosecutors, defenders judges and others) and a range of services as alternatives to jail and incarceration. All program personnel receive specialized training in young adult development, trauma and evidence-based practice.

Young Adult Court – Manhattan, New York

The Midtown Community Court serves 18 – 20 year olds charged with misdemeanors, in collaboration with the Office of the District Attorney and overseen by the judiciary. The program, provides a range of interventions, including behavioral health services, trauma-informed services, education and vocational services, based on a risk / needs assessment with the goal of reducing crime and transitioning clients successfully to adulthood.

Young Adult (Drug) Court - Bonneville County, Idaho

This specialized drug court serves 18 -24 year olds with felony or misdemeanor charges who are referred by the drug court. It utilizes the Seven Challenges curriculum and case management to focus on substance abuse as well as mental health needs, problem-solving skills, life skills and stable housing. Uses texting / technology to engage participants.

Young Adult Court - San Francisco, California

San Francisco's Young Adult Court serves 18 – 25 year olds charged with misdemeanors or felonies. It prioritizes people with "serious" felony cases, but excludes at least some DUIs, gang affiliation, domestic violence, sex offenses and gun cases. The YAC provides intensive case management and a range of services including trauma-informed services, behavioral health services, housing or vocational support and civil legal assistance. Successful completion can yield dismissed or reduced charges, fines or probation terms as well as records sealing.

Douglas County Young Adult Court - Omaha, Nebraska

This specialized court serves 17 – 25 year olds. Participants are required to plead guilty to a felony charge and agree to restitution to be eligible for this specialized program, which is

operated by multiple justice agencies. Based on the results of an initial assessment, probation officers provide and coordinate a range of services and supervision strategies, which may include a period of incarceration.

King County Drug Court Young Adult Track – King County, Washington

The King County drug court established a young adult track based on the premise that young adults are more “challenging” to serve in a drug court context, with higher rates of program violations, lower “motivation” for treatment and other behaviors such as drug dealing or other criminal activity. The track uses a “person centered approach aimed at addressing various needs; housing, education, vocation and employment, mental health, chemical dependency treatment and life skills.”

<http://www.kingcounty.gov/~media/courts/Clerk/drugCourt/documents/Young-Adult-Track-Guidelines.ashx?la=en>

Young Adult Diversion Court - Kalamazoo County, Michigan

The Kalamazoo County Young Adult Court serves 17 – 20 year old “first time offenders” who have been sentenced to probation on a misdemeanor charge. Utilizes a drug court model to provide behavioral health services, case management, life skills and community service. Successful completion results in probation discharge and the dismissal of charges.

Young Adult Court, Lockport City, New York

This specialty court serves young adults ages 16-21; participation is voluntary. It operates as a collaborative effort among the judiciary, office of the district attorney, defense counsel, probation and treatment providers. The program requires highly structured probation supervision, intensive judicial involvement with participants, structured sanctions and incentives and participation in education and vocational services, behavioral health services, curfews, housing supports, and counseling. It is self-described as “intensive,” potentially “overwhelming” and requiring a “complete life change” so that participants are “accountable” to their communities and refrain from criminal offending.

C. SENTENCING

Holmes Youthful Trainee Act – Michigan

Allows people convicted of crimes 17-23 years old to seek “youthful offender” status if they plead guilty. Certain high-level drug offenses, sex offenses and capital crimes are excluded. If probation is successfully completed, charges are dismissed without entry of a record of conviction and records are sealed. MICH. COMP. LAWS §762.11 et seq.

Sentencing Planner Program – San Francisco, California

Operated by the District Attorney, this program utilizes specially trained social workers to develop a detailed case review and assessment to develop sentencing recommendations and, if alternatives to incarceration are appropriate, a detailed case plan. Originally developed to serve all adults, the program now utilizes a dedicated position to focus on young adults ages 18 – 25.

<http://sfdistrictattorney.org/sentencing-planner>

Indeterminate Sentencing of Young Offenders – Virginia

Virginia statute allows judges to impose, with the agreement of the defendant, a specialized term of indeterminate commitment to the Department of Corrections in lieu of a longer sentence or other penalties. The court is required to also impose a suspended sentence of confinement, to

be held in abeyance. Under this law, the department is required to provide specialized housing and rehabilitative services; the parole board is required to regularly evaluate program participants for readiness for release. Eligible defendants are under 21 years old at the time of the offense, charged with an offense other than murder and related crimes, and deemed “capable of returning to society as a productive citizen following a reasonable amount of rehabilitation.” Va. Code An. § 19.2-311

Delayed Sentencing Program for Young Adults - Oklahoma

Oklahoma has created, by statute, a Delayed Sentencing Program for Young Adults 18 – 21 years old who have been convicted of a felony offense and have not been previously convicted of two or more felonies. Certain serious and violent offenses are excluded from the program. The program allows the court to delay sentencing for 120 days to allow the Department of Corrections to prepare a detailed report (which then serves as a presentence investigation) regarding the individual’s security risk and “rehabilitation needs.” The plan can recommend incarceration and placement with ODOC, probation supervision, halfway house or “any combination needed” to address the defendant’s risks and needs. Program participants receive a range of services, including cognitive-behavioral programming, education and vocational services and anger management resources and, upon release from confinement, reentry supports. Upon successful program completion, the court can suspend or reduce the remaining sentence. 22 OK Stat. §22-996 et seq.

Youthful Offender System – Colorado

Initially enacted in 2009 and renewed in 2013, Colorado law permits the sentencing of “young adult offenders,” defined as a person at least 18 years old but under 20 years old at the time the crime is committed and under 21 years of age at the time of sentencing to the Youthful Offender Program operated by the Colorado Department of Corrections. Young people convicted of non-excluded (high-level) felonies are eligible and serve their sentences in a specialized CDOC facility. (For more information, see the Corrections Programs section of this document.) http://cjdc.org/wp/wp-content/uploads/2013/06/216_enr-YOS_Final.pdf

Some states couple specialized sentencing provisions with options to commit young adults to specialized corrections facilities or programs. See Virginia and Colorado statutes, as examples.

Youthful Offenders – Alabama

Alabama statute allows courts to identify a person charged with certain offenses committed during their “minority” (defined by the Alabama Supreme Court as those under the age of 21) to be designated as “youthful offenders.” If so designated, the person must waive right to a jury trial and is subject to a trial “separate” from public criminal trials. Statements made during the determination of youthful offender status are not admissible as evidence of guilt. Upon conviction, the court has specialized sentencing options, including probation, fines or commitment to the Board of Corrections. Victims have a statutory right of notification of the possibility of youthful offender status. The statute establishes confidentiality of youthful offender records, creates specialized registration and notification provisions for sex offenses and provides that convictions under the statute shall not serve as a bar to public employment or professional licensure. (ALA CODE §§15-19-2 to -7)

Youthful Offender Sentencing – Florida

When a person 18 – 21 at the time of sentencing has been found guilty or pled guilty to a felony offense, the court may sentence that person as a “youthful offender.” (Capital offenses are

excluded, as are people who have received a prior youthful offender designation.) This designation allows specialized sentencing options, including probation supervision for up to six years, incarceration in a specified facility (including a “residential facility”) or a “split sentence” of both incarceration and probation supervision totaling up to six years (but not to exceed the penalties otherwise available for the offense of conviction. FLA STAT §§958.011-.15 (2016)

Young Adult Offenders – New Jersey

New Jersey statute provides that any person who is less than 26 years old at the time of sentencing and who has been convicted of a non-excluded offense may be sentenced to an indeterminate term at the Youth Correctional Institute or the Correctional Institute for Women. NJ Stat. Ann §2C:43-5 (1979)

Judge William R. Byars Youthful Offender Act – South Carolina

South Carolina statute creates a “youthful offender” designation which includes juveniles transferred to adult jurisdiction and young adults 17- 24 years old (with specified charges). Upon conviction, a court may utilize a specialized sentencing scheme for youthful offenders, which includes suspended sentence / probation, a 60-day “observation period” with the Department of Corrections or indefinite custody with the Department for a period not to exceed six years. The statute further provides that youthful offenders sentenced under the act shall be held in minimum security institutions that provide “essential varieties of treatment.” Young offenders may be subject to conditional release and supervision at any time. S.C. Code Ann §24-19-10 et seq.

Young Adult Offenders – West Virginia

State statute gives explicit authority to the Department of Corrections to establish Centers for Housing Young Adult Offenders who “are amenable to discipline other than in close confinement, and to give better opportunity to young adult offenders for reformation and encouragement of self-discipline.” West Virginia courts may commit young adults 18 – 23 years old at the time of the offense (or younger than 25 at the time of sentencing) who are convicted of certain offenses to the Corrections department for housing in such a Center for 6 – 24 months. This process requires the DOC to accept an offender into the program. Upon successful completion, participants may be eligible for probation. Unsuccessful participation may result in resentencing of the individual. Each Center is required to establish programs for education, recreation, employment and counseling. W. VA Code §25-4-1 et seq.

D. COMMUNITY CORRECTIONS

Specialized risk / needs assessment:

None noted: While there are specialized tools to assess young adults for a range of behavioral health, physical health, educational or other needs, there are currently no specialized, validated tools available to assess criminogenic risk and needs of young adults. Instead, the current generation of criminogenic risk assessment tools have been developed for use by either juvenile or criminal justice (adult) systems. It should also be noted that the current state of risk assessment research does not indicate that there are unique risk factors or protective factors for this age group, or that a specialized tool is needed to identify young adults’ risks, needs and

protective factors.⁸ However, the Center’s dialogue with practitioners does indicate an unmet need to train and equip justice system personnel (probation officers, service providers, etc.) to maximize the use of currently-available risk / needs assessments in developing individualized case plans and interventions with this population.

Probation supervision and services

Young Adult Initiative, District of Columbia

Provides wrap around services and case management to offenders under 25 years old through a specialized probation team. Utilizes a multidisciplinary team to plan and provide supports. Participants who are not in school or working are supervised and provided services through a day reporting (in-house) model.

CHOICE Program – Boston, Massachusetts

Serves 18 – 26 year olds and includes a focus on education and employment. Supervised by a probation officer and two judges, the program incentivizes compliance and engagement by reducing restrictions and easing mandates.

Transitional Age Youth Unit – San Francisco, California

The TAY Program serves 18 – 25 year olds through 10 specialized probation caseloads. It uses the COMPAS assessment to build risk / needs / responsivity case plans and targets education, housing problems, records relief, employment readiness and job opportunities, including city employment. TAY includes gender-specific strategies, trauma-informed approaches and culturally-targeted services.

Justice Reinvestment Program – Multnomah County, Oregon

Created in response to Oregon’s Justice Reinvestment Act, this program serves as an alternative to incarceration for people under the age of 25. It utilizes the LSI-R assessment to build risk / needs / responsivity case plans and supervision and service strategies, including education, housing, healthcare, employment and other supports, as need. A specialized parole / probation officer works with this population.

<https://olis.leg.state.or.us/liz/2013R1/Downloads/MeasureDocument/HB3194/Enrolled>

Young Men’s Initiative - Department of Probation – New York, New York

This program is operated by the probation department. It serves 16-24 year olds, using evidence-based assessment, case planning, supervision and services. Probation staff receive targeted training in developmental science, Positive Youth Development strategies and cognitive behavioral interventions. Probation officers work in pairs to create a “circle of care” with the probationer and his support systems and motivate positive change. Focus on positive supports, mentorship, and sustainable community relationships. Specific programs within the overarching initiative include: Young Adult Scholars Program (focuses on educational gains and supports, career readiness, case management and placement in educational settings); the Young Adult Justice Community Program (focuses on building connections between young adults on probation and their communities); the Community Education Pathways to Success Program (focuses on literacy, GEDs and higher education opportunities); and the Arches Transformative

⁸ See *From Juvenile Delinquency to Adult Crime*, Chapter 6, Prediction and risk/needs assessments, Robert D. Hoge, Gina Vincent, and Laura Guy

Mentoring Program (utilizes paid mentors to address attitudes and behaviors that create risk for ongoing criminal justice involvement).

Community-based programming / Alternatives to incarceration

The Reset Foundation – San Francisco Bay Area, California

Serving 18 – 24 year old males facing incarceration, this program has residential and non-residential components which focus on education, employment and life skills. It coordinates closely with probation and the courts. Successful participants may have their sentences reduced or suspended.

Common Justice – Vera Institute, New York

Common Justice serves victims of serious or violent crime and creates an alternative to incarceration of young adults who commit them. Using intensive restorative justice approaches tailored to this age group, in cases in which defendants would otherwise be incarcerated, the program seeks to repair the harm caused to the victim, hold young adults accountable for harmful behavior and build or rebuild relationships within the community. The program also utilizes a range of intensive and community-based strategies to build cognitive, emotional, vocational and life skills with participants, to build competencies and prevent future violence and offending.

YouthBuild Offender Project – Multi-state program

This project serves as an alternative to incarceration and / or a reentry resource to young adults 16 – 24 years old. Participants build low-income housing while also participating in other supportive activities, education and employment preparation.

MultiSystemic Therapy – Emerging Adults

MST-EA is an adaptation of Multisystemic Therapy curriculum initially developed for younger adolescents and their families. It has been designed for young adults 17 – 26 years old with co-occurring mental health and substance use problems and “significant” systems involvement (including child welfare, human services and / or criminal justice systems). The program targets reduced offending, improved mental health, reduced substance abuse and development of living skills and resources. Services may or may not involve parents or caregivers (as contrasted with traditional MST) and instead focuses on developing and strengthening support systems for clients and targeting “risk factors” specific to this age group. *Initial evaluation research indicates promising results in areas such as reduced offending and improved functioning.*

III. CORRECTIONS / PRISON PROGRAMS

Young Adult Offender Program – Maine Department of Corrections

This MDOC program serves incarcerated young men, ages 18 – 25. The program includes an individualized case plan to address risks and needs and requires participants to complete a high school diploma or GED program. Curricula include Aggression Replacement Therapy and Thinking for a Change, family violence programming, parenting skills and a limited range of vocational training. (It appears that this facility was converted in 2015 to one which continues to house young adults, but also includes a traditional adult correctional population.)

Connecticut Department of Corrections

In partnership with the Vera Institute, CDOC is developing an approach to “transform” the care and custody of incarcerated young adults, age 18-24 with a focus on correctional best practice, youth development research and international models. The model in development is expected to prioritize family engagement, self-expression, peer support, personal growth and development, education, and career readiness.

Anthony Corrections Center, West Virginia

The ACC is a minimum security facility which houses men and women 18 – 25 years old who receive a suspended sentence if they choose to participate in this specialized program. Services focus on education and employment preparation / skills, including programs in culinary services, auto repair, construction and other trades. Participants who successfully complete the program return to the committing court for consideration of a probation sentence. Participants who do not successfully complete can be subjected to the initial sentence imposed.

Youthful Offender Act – Georgia

Georgia law allows courts to recommend sentencing of young offenders, age 17 – 25, to a designated facility within the Georgia Department of Corrections. GDOC may accept or reject this recommendation. These facilities are required to provide specialized rehabilitative services. GA Code §42-7-1 et seq.

Young Adult Defendants Program – Hawaii

Hawaii statute defines a young adult defendant as one who is less than 22 years old at the time of the offense and has not been previously convicted of a felony. Murder and attempted murder offenses are excluded from eligibility. If sentenced to more than 30 days incarceration, a young adult defendant can be committed to a specialized program of the Department of Public Safety to receive “as far as practicable, such special and individualized correctional and rehabilitative treatment as may be appropriate to the young adult defendant's needs.” The statute further provides for an indeterminate term of imprisonment of up to 8 years for a Class A felony, 5 years for a Class B felony and 4 years for a Class C felony, with release authority vested with the parole authority. The statute also provides for these young people to be incarcerated separately from “career criminals, when practicable.” Hawaii Revised Statutes Division 5. Crimes and Criminal Proceedings § 706-667

Youthful Offender System - Colorado

The Youthful Offender System (YOS) is a medium security prison created in 1994 for 14 to 17 year old youth who were prosecuted, convicted, and sentenced as adults. A 2009 law allowing YOS to admit young adults who were 18-19 years old at the time of the crime if they were under

21 at sentencing was re-enacted during the 2013 legislative session. COLO. REV. STAT. §18-1.3-407.5

Pine Hills Youth Correctional Facility – Montana

The Montana Department of Corrections has launched a pilot project to house young male offenders ages 18 – 25 and assessed as low to medium risk in a specialized correctional facility. This facility will provide specialized, cognitive-behavioral programming and education, vocational, employment, behavioral health, life skills and other transitional services. The program will also help participants develop healthy support networks to facilitate successful community reentry. <https://cor.mt.gov/Publications/Media/pine-hills-expands-programming-for-young-adult-male-offenders>

- **Other:**

Other states have created “specialized” correctional facilities or programs to house transferred and/or young adult inmates. These programs may or may not provide developmentally appropriate services or supervision. For example, **Pennsylvania** houses teenagers and young adults who have been convicted as adults in separate facilities. Similarly, **Florida’s** Department of Corrections utilizes multiple facilities (public and private) to hold young adults sentenced to incarceration. **Indiana** has created a “bootcamp” program for inmates under age 21. Successful participants may have the remainder of their sentence suspended and / or be placed on probation. (Ind. Code 11-14-1 et seq.) **South Carolina** has established a “shock incarceration” program for people 17 – 29 years old. This 90 day program is operated by the Department of Corrections and features military-type activities and exercise. (S.C. Code Ann. §24-13-1310 et seq.) **South Carolina** (Turbeville Correctional Institution) and **Wisconsin** (Racine Youth Offender Correctional Facility) have established facilities which house young adults, although they may be co-located with adult inmates in these facilities.

IV. REENTRY / TRANSITIONS FROM SYSTEM INVOLVEMENT

Youth Offender Parole – California

Effective January 2016, California state law requires the state’s Board of Parole Hearings to review the “parole suitability” of any prisoner who was under the age of 23 at the time of a “controlling offense” leading to incarceration. The statute provides timelines for these reviews (during the 15th, 20th or 25th year of incarceration, depending on original sentence) and requires the review to provide a “meaningful opportunity to obtain release.” The statute further provides that the board “shall take into consideration the diminished culpability of juveniles as compared to that of adults, the hallmark features of youth, and any subsequent growth and increased maturity of the individual.” CA Penal Code §3051

Intensive Supervision Services – South Carolina

South Carolina’s Department of Corrections includes a Division of Young Offender Parole and Reentry Services which oversees institutional and reentry programming for young adults sentenced under the state’s Youthful Offender Act. The YOA governs sentencing of offenders under 25 years old without prior convictions, with certain offenses excluded. A specialized parole unit utilizes “proactive” approaches and risks and assets – driven strategies to provide a range of “evidence-based” services and supervision. Successful participants are eligible for records expungement. *The program reports a lowered re-incarceration rate.*

Hope Partnership – Portland, Oregon

Serves incarcerated young adults 17 – 24 years old preparing to leave prison. Through community partnerships, the program focuses on arts, theater and speaking skills.

Ujamaa Place Program – St. Paul Minnesota

The program serves young black men ages 18 – 23, many of whom are homeless, following incarceration or jail. The program is voluntary and utilizes trained coaches to help participants find housing, employment and education, if needed.

Records relief and / or expungement:

Many of the laws and programs described in this document provide some form of records relief – including confidentiality of records, sealing, expungement and / or reduction of felony charges to misdemeanors – to participants who successfully complete program or supervision requirements.

These strategies are intended to incentivize participant compliance, reduce obstacles to successful community reentry and increase employment and educational opportunities.

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