

# COLLABORATIONS BETWEEN THE JUVENILE JUSTICE SYSTEM AND HOME VISITING PROGRAMS

## Roundtable Report Out and Policy Guidelines

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### Introduction: The Case for Collaborations between the Juvenile Justice System and Home Visiting

Ample evidence indicates there is a notable population of youth in the juvenile justice system who are pregnant or parenting. There is significant overlap in the childhood and adolescent experiences of young parents and juvenile offenders: compared to their peers, both are more likely to report exposure to adverse childhood experiences, poverty, housing instability, and behavioral and mental health difficulties, and lower rates of educational attainment and achievement (Cauffman, 2008; Coyne & D'Onofrio, 2012; Fauth, Greenstone Winestone, & Goldberg, 2018; Hillis et al., 2004; Jaffee, Caspi, Moffitt, Belsky, & Silva, 2001; National Crittenton Foundation, 2012; Sherman & Balck, 2015). Young parents who are involved in the juvenile justice system are also in the unique position of being responsible for a young child in their care, while fulfilling their obligations to the court and other juvenile justice agencies. Children of these young parents are at heightened risk for adverse outcomes if their parents lack the requisite skills to guide their development and cultivate a healthy parent-

child relationship (Dallaire, Zeman, & Thrash, 2015).

Historically, juvenile justice policy and practice has focused on remediation, and has given little attention to or accommodations for young parents in the system's oversight. Indeed, policy and practice supporting parents to maintain regular contact with their children and support their welfare and optimal development are notably rare in juvenile justice systems. The historic lack of intentional planning for young parents in the system may, in part, account for the unfavorable outcomes observed among children of justice involved mothers including increased behavior problems and academic challenges during childhood, and delinquency and school dropout in adolescence (Dallaire, 2007; Dallaire et al., 2015; Schlafer, Poehlmann, & Donelan-McCall, 2012). Targeted programs and services for these young families are warranted to address their complex needs, including consideration of how to provide services for parents who are under the jurisdiction of the juvenile justice system.

Home visiting is a parenting support service modality that has a demonstrated evidence base and has garnered significant bipartisan support in recent years. Favorable findings have been observed for maternal well-being, parenting competence, maternal educational outcomes, and children's cognitive development (Filene, Kaminski, Valle, & Cachat, 2013; Howard & Brooks-Gunn, 2009; Sweet & Appelbaum, 2004).

Further, studies have shown that home visiting may be particularly effective for young parents and those with experiences of trauma and other risk factors for unfavorable outcomes (Mistry et al., 2016; Olds et al., 1997; Rodriguez, Dumont, Mitchell-Herzfeld, Walden, & Greene, 2010). Research to date suggests that evidence-based home visiting programs have demonstrated success achieving reductions in juvenile delinquency, family violence, and crime, which are central goals of every justice system (Sama-Miller et al., 2017). This evidence suggests home visiting may hold promise as an effective strategy for juvenile justice involved young parents.

Given the limitations of the juvenile justice system to direct significant resources to one relatively small subpopulation, the existence of home visiting programs as an established infrastructure for providing support to young parents who have faced considerable vulnerabilities seems well suited to fill a gap in extant juvenile justice services. Further, a closer look at the objectives of juvenile justice systems and of evidence-based home visiting programs suggests that there are common goals that drive these agencies upon which strong collaborative partnerships can and should be built. In turn, research on collaborative partnerships between juvenile justice and home visiting services can inform a range of service partnerships directed at supporting youth in the juvenile justice system.

With the generous support of the Annie E. Casey Foundation (GA-2017-B0191), developmental psychologists from Tufts University, state home visiting program administrators and home visitors from the Children's Trust of Massachusetts, and juvenile justice law and policy experts from Boston College Law School have been working collaboratively to increase support and programming for juvenile justice system involved parents. Focusing specifically on collaborations between juvenile justice and home visiting, the team partners have worked together in the initial year of the partnership to: (1) Adapt the evidence-based Healthy Families Massachusetts (HFM) model of home visiting to fit the needs and circumstances of justice system involved parents; (2) Evaluate the effectiveness of the adaptations in addressing the needs of this population, and (3) Conduct research to inform program and policy for this population.

Building on a policy Roundtable held in February 2018 that included delegates from home visiting and juvenile justice systems from several states, this report aims to make the case for expanding and enhancing parent-child home visiting programs for the juvenile justice population. We provide an overview of current research, policy, and law related to pregnant and parenting youth involved in the justice system as a starting point. We then review the promise of home visiting as a viable support service for young system-involved parents, highlighting alignment in the goals of the two systems and summarizing initial evidence of home visiting with justice system involved young parents. Subsequently, we flag the potential legal, regulatory, and practical barriers faced by justice systems trying to provide home visiting and other parent-child support services to youth in their care. The paper concludes with actions steps and recommendations resulting from the evidence reviewed and the Roundtable proceedings.<sup>1</sup>

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# The Prevalence of Pregnancy and Parenting in the Juvenile Justice System

There currently are no consistent procedures for gathering information on pregnant and parenting youth involved in the juvenile justice system, and consequently little is known about the incidence of pregnancy and parenting or about profiles, histories, and needs of detained and incarcerated young parents and their children (Acoca, 2004). Although the exact current statistics are not known, the proportion of pregnant and parenting youth involved in the juvenile justice system exceeds that of their non-system involved peers.

According to the 2003 federal Survey of Youth in Residential Placement—the most recent data available—12% of youth (males and females) in juvenile justice residential placement reported that they were currently expecting a child (Sedlak, 2010). Independent research conducted in 2004 found that only 18% of facilities that held girls conducted pregnancy testing, and 2.4% of facilities would not provide pregnancy testing even if requested by the girl (Gallagher, Dobrin, & Douds, 2007). These constraints suggest that the 2003 federal data likely underreported the number of pregnant girls in justice system facilities.

National data on the number of parenting youth (male and female) in the juvenile justice system is also elusive. The Survey of Youth in Residential Placement reported 15 years ago that 15% of males and 9% of females in juvenile justice residential placement had children (Sedlak, 2010). This exceeds the rate of pregnancy and parenting among non-justice system involved teens.

Another indication of the scope of the issue is the number of incarcerated women who are mothers. Between 1991 to 2007 the number of incarcerated mothers increased by 122%: in 2007 there were 65,600 mothers incarcerated in

the U.S. and 1.7 million children with an incarcerated parent (The Sentencing Project, 2012).

Early pregnancy and parenthood pose a particularly complex set of issues for the juvenile justice system given the perceived tension between promoting public safety and promoting the positive development of the youth they serve, even though ensuring the welfare of their dependent children is consistent with promoting a young parent's positive development. Perhaps as a result of this perceived tension and complexity, there are remarkably few services that specifically target pregnant and parenting youth involved in the justice system, and little research on the services and supports that can most effectively support them as they move through disparate stages of the justice system process.

The dearth of services also reflects the lack of statutes, regulations, and policies pertaining to young parents involved with the justice system. Among the states that do have statutes, regulations, or policies, the scope is typically limited to two primary issues—health and safety and restraints: 20 states have health-related policies, 14 states have regulations, and only one, Missouri, has a statute related to the health care of pregnant girls in the juvenile justice system. A majority of the health-related rules focus on intake procedures to identify pregnancy and provision of pre- and post-natal medical care. Rules related to safety and restraints generally prohibit or significantly restrict the use of restraints with girls in state juvenile justice systems while pregnant or in labor. However, even on this clear issue of safety, only 12 states have policies, 11 have regulations and 6 states have statutes (see Appendix A. *Table of State Statutes, Regulations and Policies Related to Pregnant and Parenting Youth in State Juvenile Justice Systems*).<sup>2</sup>

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<sup>2</sup> Our survey of law, regulation and policy focused on state juvenile justice agencies on the assumption that, because they are responsible for housing youth in the juvenile justice system, they would be the most likely among entities responsible for juvenile justice system involved youth to have formal policy on pregnancy and parenting. We did not, for example, scan policies of county probation departments, which primarily provide community supervision for delinquency involved youth, but which may be the

Regulations and policies related to parenting among youth in state juvenile justice custody are even more limited. These fall into two broad categories—parenting education, and parent and child placement post-birth. State rules related to parenting education either require or enable states to provide parents (both mothers and fathers) in their juvenile justice systems information and counseling on a range of topics related to parenting, including childbirth, nutrition, childrearing, and family planning. Twelve states have policies related to provision of parenting education, six states have regulations, and two states have statutes. There are few state statutes, regulations, or policies related to parent and child placement post-birth, and those that do exist offer guidelines for visitation and discussion of custody plans. In this category, 13 states have policies, five have regulations, and one state, Hawaii, has a statute. Hawaii, the only state with a statute, requires that gender-responsive programming for female adjudicated youth be located in geographic proximity to their children.<sup>3</sup> Some states refer the matter of custody to the child welfare system or promote collaboration between the state juvenile justice and child welfare systems

regarding custody. Only two states, Vermont and Florida, specify a preference for post-birth planning that promotes the mother-child bond or use of community-based services to support parenting (see *Appendix A. Table of State Statutes, Regulations and Policies Related to Pregnant and Parenting Youth in State Juvenile Justice Systems*).

The whole of this evidence suggests a lack of attention to pregnant and parenting youth in the juvenile justice system—from consistent procedures for assessing their prevalence to policies and programming for these young pregnant or parenting youth. These youth face not only the challenges associated with their system involvement, but also must balance the transition to parenthood, while simultaneously navigating the developmental tasks of adolescence or early adulthood. This is a heavy load for these youth. In the next section, we describe one approach to providing family support that holds promise for juvenile justice involved youth, as a support for their role as parents, but also for their own well-being and development.

## The Promise of Home Visiting for Juvenile Justice System Involved Young Parents

Research and policy regarding programming for young parents, notably mothers, has a long history and is robust (Beers & Hollo, 2009; Child Welfare Information Gateway, n.d.). The aim of programs historically has been to facilitate the successful accomplishment of the significant developmental tasks of adolescence, such as achieving residential and financial independence and stability, maintaining stable physical and mental health, and completing high school, while also promoting positive parenting skills and preventing additional pregnancies (Leadbeater & Way, 2011). Successful programs for young mothers—including several evidence-based home visiting programs—apply a preventive approach, intervene early and at multiple points

in time, incorporate a range of components or services, and support young mothers' children past infancy (Chase-Lansdale & Brooks-Gunn, 2014; Seitz & Apfel, 1999).

Parent-child home visiting is one service modality that shows particular promise for families who enter parenthood with experiences that heighten their risk for unfavorable outcomes, including young age at first birth. Findings from evidence-based home visiting programs including Healthy Families America (HFA) and Nurse Family Partnership (NFP) have reported reductions in young mothers' parenting stress, depression, child maltreatment risk, substance use, interpersonal violence, and

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most likely collaborators with home visiting programs. The lack of formal policy among state juvenile justice agencies is likely indicative of policies in other departments.

<sup>3</sup> Hawaii Revised Statute §352-23.5

arrests (Easterbrooks, Fauth, Menon, Stargel, & Kotake, 2018; Jacobs et al., 2016; Olds et al., 1997; Rodriguez et al., 2010). Further, longer-term evidence from NFP suggests home visiting may be effective at reducing the likelihood of arrests among children of home visited mothers 15-20 years later (Eckenrode et al., 2010; Olds et al., 1998). These findings suggest that evidence-based home visiting may affect important outcomes for young mothers—outcomes that both predict and arise from juvenile justice involvement (Cauffman, 2008).

Home visiting has gained increasing public support and legitimacy over the past 30 years, culminating in 2010 with its inclusion as a separate program (the Maternal, Infant, and Early Childhood Home Visiting Program; MIECHV) within the federal Affordable Care Act (Public Law 111-148). Home visiting services vary by agency auspice, goals, service delivery, and the needs and strengths of the participant population (Sama-Miller et al., 2017).<sup>4</sup> Although models vary and span various disciplines, home visiting targeted at parents typically entails individualized visits in the home (or where participants are residing) between trained nurse or paraprofessional home visitors and parents to share information, provide support, and refer families to services. A key benefit of this approach is its flexibility in terms of providing services within the home environment, but also in terms of tailoring the specific service provision to parents' current needs and capabilities to take-up help and support at a critical transition point in their lives.

Evidence from home visit records from Healthy Families Massachusetts (HFM), a statewide program targeted at young parents, found that participants receive direct support from home visitors in areas ranging from parenting education, to material supports to meet critical basic needs, to hands-on assistance with school and employment applications, to emotional support relating to relationships and family life. In addition, home visitors provide significant indirect support by working to connect families

to social services in their local systems of care, such as economic and housing assistance programs, and physical and behavioral health services (Fauth et al., 2018; Goldberg, Greenstone Winestone, Fauth, Colón, & Mingo, 2018). This one-on-one, flexible, parent-centered approach makes home visiting an appealing service structure for juvenile justice involved young parents who may need a range of tailored support to meet their needs in an environment where they feel safe. Further, the support provision techniques used by home visitors—problem identification, skill building through direct education and hands-on assistance, and empowering participants to demonstrate self-sufficiency and self-advocacy while enrolled in the program (Fauth, et al., 2018; Goldberg et al., 2018)—may position justice involved youth to better manage the expectations set forth for them by the courts.

Yet, to date, very few home visiting evaluations have specifically examined the effectiveness of home visiting for system-involved young parents—perhaps a reflection of the lack of parenting support for this population, more generally. The few studies that have explored home visiting with juvenile justice involved parents have been favorable. In an examination of young juvenile justice system involved mothers participating in HFM, findings revealed that six years following program enrollment, mothers who received parent-child home visiting were more likely than non-home visited justice involved mothers to be employed, report having adequate basic resources, and experience a sense of personal mastery in their lives (Fauth et al., 2018). Yet, this study also found that home visitors were having few interactions with juvenile justice professionals. Early evidence from a targeted, intensive home visiting program addressing the needs of court-involved pregnant and parenting teens and their young children in two communities in Florida found evidence of reduced recidivism and repeat births and increased school enrollment and graduation (The Florida State University Center for Prevention & Early Intervention Policy, n.d.). In

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<sup>4</sup> See United States Department of Health & Human Services, Administration for Children & Families (n.d.), for a review of home visiting models and evidence.

this program, young parents are served by a team of professionals, including a social worker who provides advocacy for parents in the courts. Albeit scant, these initial findings from two home

visiting programs—one statewide and one targeted—suggest promise in further collaborations between home visiting and juvenile justice.

## Shared Objectives and Challenging Contexts: Juvenile Justice Systems and Evidence-Based Home Visiting Programs

In recent years, state and county juvenile justice systems have been moving toward more developmentally informed and community-based approaches. The goals of these approaches are consistent with the goals of evidence-based home visiting programs, including:

- Promoting healthy relationships, with a focus on family relationships
- Promoting self-sufficiency and decision making among young parents
- Increasing access to formal and informal social supports
- Promoting parent and child health and well-being
- Keeping children and parents together
- Reducing juvenile delinquency, family violence and crime.

As previously reviewed, research to date suggests that evidence-based home visiting programs, including Healthy Families America (HFA) and Nurse Family Partnership (NFP), among other models, have demonstrated success achieving many of these objectives for parents and their children (Sama-Miller et al., 2017). Indeed, NFP is listed as an evidence-based program for delinquency prevention in the Office for Juvenile Justice and Delinquency Prevention (OJJDP) Model Programs Guide (OJJDP, n.d.).

Historically, juvenile justice systems have had two primary goals that were, at times, incompatible—to provide for the welfare of youth, on the one hand, while protecting the public from those same youth, on the other. Thus, while juvenile justice systems promote the positive development of the youth they serve,

they also operate on an accountability model in which youth must comply with system rules (e.g., curfew, treatment, abstinence from substances, etc.), and the system has the authority to remove youth from their homes, and possibly place them in locked, prison-like facilities (e.g., detention) for new crimes or for violations of those rules. Juvenile justice’s unique position—straddling social services and criminal justice—may be one reason juvenile justice services have a history of being siloed from child welfare, education, health care, family support programs, and other social services.

While the federal OJJDP plays a role overseeing juvenile justice policy nationally, most juvenile justice policy and innovation occurs at the state and county levels. Beginning with the 2005 Supreme Court decision in *Roper v. Simmons*, which found the death penalty unconstitutional for youth whose crimes were committed before they turned 18, juvenile justice systems across the U.S. entered a developmental era. In *Roper* and subsequent cases,<sup>5</sup> the Supreme Court found that—given critical brain development and maturation still in progress—youth are distinct from adults and require developmentally informed policies in criminal justice, as well as many other spheres (*J.D.B. v. North Carolina*, 2011; *Miller v. Alabama*, 2012; *Roper v. Simmons*, 2005).

Today, the critical features of a strengths-based, developmental approach aimed at reducing out-of-home placement for youth while increasing developmental opportunities and connections to their families and communities are beginning to be reflected and advanced in state and county

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<sup>5</sup> See *Miller v. Alabama* (2012) for a finding that mandatory life without parole is unconstitutional for minors due to development and *J.D.B. v. North Carolina* (2011) for a finding that a youth’s age should be considered when police give arrest warnings.

juvenile courts, probation departments, and agency policies (National Research Council, 2013).<sup>6</sup> Indeed, between 2001 and 2015, out of home placements of youth in the juvenile justice system fell by 54% (The Sentencing Project, 2017). This trend in favor of home and community-based solutions for justice system involved youth is consistent with the overall focus on youth development and is also driven

by the high cost and poor outcomes associated with youth incarceration.

Table 1 on the next page highlights commonalities and alignment in the goals, guiding principles, and approaches of evidence-based home visiting and several current developmentally informed juvenile justice approaches.

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<sup>6</sup> Along these lines, there have been developmental arguments for policies that encourage and support parent-child relationships, leading a growing number of U.S. women's prisons to develop prison nurseries in which mothers can live with their young children (Villanueva, 2009). As of 2010 there were eight prison nurseries in nine states all run by the state Departments of Corrections. Research suggests that keeping a mother and her baby together in prison nurseries leads to lower recidivism for the mothers and better developmental outcomes for their children (Byrne, Goshin, & Joestl, 2010; Villanueva, 2009).



Table 1: Explicit Goals and Effects of Evidence-Based Home Visiting Programs and Developmental Juvenile Justice Approaches

| Evidence-Based Home Visiting <sup>7</sup>                     | Positive Youth Justice and Youth Development <sup>8</sup>                                  | Developmental Juvenile Justice <sup>9</sup>  | Trauma Informed Approach <sup>10</sup>                                       | Gender Responsive <sup>11</sup>   |
|---|--|--|--|---|
| Supporting healthy relationships at home and in the community | Engaging youth in “positive roles and productive activities” through relationship building | Assisting youth to accept responsibility and prevent reoffending by engaging a youth’s family and neighborhood resources | “Peer Support, Collaboration and Mutuality”                                  | Relationships are central to adolescent female development  |
| Promoting self-sufficiency and decision making                | “Learning/Doing: Developing self-efficacy and personal confidence”                         |  | “Empowerment, Voice and Choice”  | Empowerment and collaborations with systems involved young women  |
| Increasing access to formal and informal social supports      | “[O]pportunities for pro-social involvement”   | Engaging “...neighborhood resources to foster positive activities, pro-social development and law-abiding behavior.”     | Formal clinical supports and programs that follow trauma informed principles | Strengthening attachments to supportive relationships (e.g., mentors, intergenerational connections)                                |
| Promoting health and well-being                               | Reducing risky behaviors among adolescents through health and physical activity            | “support the prosocial development of youth...”  | Trauma-informed clinical and preventative services                           | Access to physical and behavioral health resources in a safe environment  |
| Keeping children and parents together <sup>12</sup>           | Promoting “stronger attachments between young people and their family members”             |  |  | Provide opportunities for connection to strengthen relationships  |
| Reducing juvenile delinquency, family violence and crime      | Reducing delinquency by applying PYD to juvenile justice interventions                     | Accountability and preventing reoffending  |  | The literature about gender-responsive approaches operationalizes ways to address and prevent delinquency in girls and young women. |

<sup>7</sup> For an exploration of home visiting, see Sama-Miller et al. (2017).

<sup>8</sup> For an exploration of the positive youth justice and positive youth development models, see Butts, Bazemore, & Meroe (2010).

<sup>9</sup> For more information on developmental justice, see National Research Council (2013).

<sup>10</sup> For more information on a trauma-informed approach, see Substance Abuse and Mental Health Services Administration (SAMHSA) (2018).

<sup>11</sup> For an exploration of gender in juvenile justice, see Sherman & Greenstone (2011).

<sup>12</sup> The developmental juvenile justice approaches referenced in this Table do not specifically address the home visiting program goal of keeping children and parents together. But most do endeavor to strengthen the youth’s attachments to their family, which would include their children.



A further important development focuses on young fathers. While services for young parents have traditionally focused on mothers, there is increased attention to parenting support programs for fathers (Panter-Brick et al., 2014), in recognition of the important role they play in young children's development (Lamb & Lewis, 2012). The past decade has seen a prioritization of and increased funding for fatherhood initiatives in home visiting and other family support services aimed at recruiting and retaining fathers. While there is not much research evidence to date on the impacts of home visiting on fathers' and children's outcomes, several more recent studies have begun to explore how fathers participate in home visiting and its relation to mothers' program retention (McGinnis et al., 2018; Sandstrom et al., 2015).

In the juvenile justice system context, the very limited attention paid to pregnancy and parenting has traditionally focused on the needs of pregnant young women. Mirroring trends in

child and family support services, however, juvenile justice and child welfare systems that are addressing the needs of young parents are moving toward approaches directed at any involved parent. Indeed, responding to estimates that about 92% of incarcerated parents are fathers and as many as 30% of incarcerated teen males are fathers (Nurse, 2002), between 2010 and 2017 the U.S. Department of Justice funded 16 fatherhood reentry grants, many for young fathers (Schneeberg, 2017).

The correspondence between the theoretical underpinnings of evidence-based home visiting models and developmental juvenile justice models suggests that there is plenty of common ground upon which collaborations between the two systems can stand, and that the extent of the commonalities, as well as points of incongruity, beg exploration. We propose that home visiting has the potential to assist juvenile justice systems to accomplish many of its goals for justice system involved young parents.

## Considering the Viability of Juvenile Justice - Home Visiting Collaborations

Although shared objectives and crossover clients make collaborations between evidence-based home visiting programs and juvenile justice programs promising, the structure of the juvenile justice system and the number of decision makers in typical systems pose challenges to collaborations (see [Appendix B. Juvenile Justice System and Decision Makers: Flow Chart](#)).

Along the juvenile justice process, significant case decisions are made by law enforcement, probation, prosecutors, judges, defense attorneys, detention facilities, state juvenile justice agencies, and staff from a range of residential and community-based programs. These decision-makers function at the local, county and state levels, may have different objectives and roles, and operate under different sets of rules. Typically, law enforcement is local, juvenile courts and probation functions are at the county (or city) level, and state juvenile

justice agencies are responsible for services and placement for youth committed to the juvenile justice agency after delinquency adjudications. Moreover, at different stages of the juvenile justice process (e.g., pre-adjudication, adjudication, post-adjudication community release, post-adjudication placement), decisions are guided by different goals, policies, and processes. Each sector of the justice system may be funded separately with different restrictions on their use of funds. The number of decision makers, frameworks for decisions, and restrictions on funding increases when the child welfare system, a major feeder for youth into the juvenile justice system, is added into the mix.

This complexity creates concrete challenges to collaboration. For example, while collaboration might be achieved with county probation services, home visiting might not yet have a relationship with the state juvenile justice agency, and so the collaboration may dissipate if

the parent escalates into that part of the juvenile justice system—arguably a time when the parent needs additional supports. Further, the state agency may not even be aware of home visiting services in their state. Or, while collaboration might be achieved with the child welfare system in a status offense case or with probation in a minor delinquency case, it may not exist with the detention staff responsible for the parent if she violates probation and is detained.

Moreover, although the trend in juvenile justice is toward a more supportive and less compliance-centered model, there is always the risk that a juvenile justice system involved young parent may lose his or her liberty for non-compliance with system-imposed rules. That risk, which is built into the structure of juvenile justice, makes collaboration between juvenile

justice systems and voluntary programs (such as home visiting) challenging. This may be why juvenile justice systems are less present in systems of care models than are other social services. Different services systems may perceive that juvenile justice does not share their core values, a risk in any collaboration, and so resist full partnership or struggle to embrace and implement collaborations (Shufelt, Coccozza, & Skowrya 2010).

Due to these risks and inherent tensions, it is critical that any collaboration between juvenile justice systems and evidence-based home visiting programs capitalize on their shared objectives by clearly defining them and reflecting them in the design and protocols governing the collaboration.

## Roundtable Proceedings and Action Steps

In February 2018, with the support of the Annie E. Casey Foundation, experts from home visiting agencies, state juvenile justice and county probation systems, and public policy fields assembled to discuss challenges implementing parent-child support programs in juvenile justice settings, with a focus on home visiting. Participants discussed recent research on the implementation of Healthy Families Massachusetts (HFM) with a cohort of mothers involved with the juvenile justice system (Fauth et al., 2018), analyzed case studies of current justice involved home visiting participants, and

compared approaches to implementing home visiting with justice system involved mothers in Massachusetts, Florida, and Ohio.

Through the discussion, a set of actions steps and recommendations were generated to guide jurisdictions (state, county, and city) in their efforts to develop collaborations between evidence-based home visiting programs and juvenile justice systems at all levels, with the goal of supporting parents who are involved in the juvenile justice system and their children.

### Action Steps

- I. Home visiting programs and juvenile justice systems should develop a shared research and policy agenda aimed at clarifying the need for targeted services, and identifying programming, practice and policy priorities.
- II. Juvenile justice systems and home visiting programs should explore points of connection in their respective agendas, and explicitly define their shared objectives.
- III. Clear protocols should be developed that outline in detail the terms of a collaborative relationship between juvenile justice systems and home visiting agencies and protect the privacy of the young parents.
- IV. Collaborations should be flexible, allowing for varying methods of supporting young parents in the justice system, and for multiple entry points for connecting with them.

## Action Steps

- I. Home visiting programs and juvenile justice systems should develop a shared research and policy agenda aimed at clarifying the need for targeted services, and identifying programming, practice and policy priorities.**

Accurate data collection and shared data about the number of youth at all stages of the juvenile justice system who are pregnant or parenting—including both young mothers and fathers—is a first critical research need. This information is not gathered in any centralized manner at any level of government (county, state or federal), inhibiting a full understanding of their needs and fully informed program design.

Ongoing research is needed to learn about successes and shortcomings of previous collaborations—whether formal or informal—between home visiting and juvenile justice agencies. Surveying home visiting and juvenile justice representatives about their experiences will also expand the exploration into the range of questions, perceived training needs, and opportunities for collaborations that may be affected by jurisdiction-specific policies and practices. Voices of young parents who are system involved should be represented in the formation of policies and practices to best understand current gaps in needs and advocacy.

This work requires funding, but a lack of funding should not stymie efforts to advance practical pathways that will begin to address gaps in services.

- II. Juvenile justice systems and home visiting programs should explore points of connection in their respective agendas, and explicitly describe their shared objectives.**

Evaluations of evidence-based home visiting programs have found positive program effects

for a number of the objectives they share with developmental juvenile justice systems. In addition to reductions in delinquency, family violence, and crime,<sup>13</sup> home visiting programs have had positive effects in areas such as linking clients to supportive services, engaging clients in educational and training programs, and facilitating employment.

This alignment of objectives and outcomes is a basis for collaboration. All collaborations between juvenile justice systems and home visiting programs should begin with articulation of shared objectives, which will guide collaboration and protocols, as well as any evaluations.

There are several possible approaches to exploring collaborations. One kickoff point that is low-cost and a manageable undertaking is cross-agency training. Roundtable participants agreed that the lack of understanding of the work each other does was a barrier to their collaboration. For juvenile justice, simple lack of awareness of home visiting as a service modality was described as a practical barrier to collaboration. For home visiting programs, the lack of understanding of the juvenile justice system felt daunting and was a disincentive to becoming involved on behalf of a young parent as an advocate in their case, and in helping the parent to navigate their system requirements and experiences.

Cross training will build awareness, understanding, expertise, and the opportunity for relationship building between juvenile justice practitioners and home visitors. It will help direct a focus on clients' role as parents and the centrality of this role for specific case and service planning. Training should be at all levels, from administration to field practitioners.

Another opportunity for exploring collaborative intention is an up-to-date repository of local, county, or statewide agencies which have targeted services for young parents and juvenile

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<sup>13</sup> For an overview of home visiting effects, see Sama-Miller et al. (2017).

justice involved youth that can be quickly and easily referenced. While it is likely that practitioners in juvenile justice and home visiting are already knowledgeable about some of these services, sharing between the two groups would enable both to refer to a wider range of services. Relatedly, each juvenile justice agency and service along with home visiting programs should have a designated contact who has some knowledge of the other system and is conversant in the language to enable cross-communication, and a list of these contacts should be available to all relevant staff across agencies.

Evaluations of collaborations that have included juvenile justice agencies suggest that philosophical barriers among collaborators be addressed directly with “a clear, concisely articulated belief that joint efforts benefit everyone” (Macbeth, 1993), and that common goals be established and prioritized so that involved agencies view the collaborative relationship as furthering the agency’s mission (Skowrya & Coccozza, 2007).

**III. Clear protocols should be developed that define in detail the terms of a collaborative relationship between juvenile justice systems and home visiting agencies and protect the privacy of the young parents.**

Protocols should be developed to guide effective collaborations that ensure clarity of purpose and transparency among the young parent, her or his home visitor, and the justice system. These protocols for collaborations between any segment of the juvenile justice system and a home visiting program should consider:

- The scope and safeguards for information sharing, including informed consents and Memoranda of Understanding (MOUs) across agencies and services;
- Protection of young parents from possible deepening of juvenile justice intervention in response to the level of their participation in a home visiting program;

- The role of home visitors in needs assessments of parents who are involved in the juvenile justice system;
- Opportunities for and limitations on joint case planning and home visitors’ routine participation in justice system treatment meetings, including notice to home visitors of meetings and court dates, among other activities;
- Providing home visitors access to their clients in detention or other placements that may have standard restrictions on access.

Information sharing from home visiting to juvenile justice systems raises concerns that a client’s challenges with parenting or failure to engage in the home visiting program could result in juvenile justice sanctions such as detention or harsher probation conditions. Questions were raised about whether young parents would perceive autonomy to withhold consent for their home visitor to share information with their probation officer, and whether they would consent to this information sharing willingly.

To protect systems involved parents and honor the voluntary nature of evidence-based home visiting programs, there should be agreed upon limitations on the ways information gathered from home visiting can be used by the justice system. For example, collaborators should agree that information gathered from the home visiting relationship should not be used to violate clients on probation.

Roundtable participants agreed that whatever level of information sharing is allowed by state law and practiced in individual collaborations, there must be full transparency with the young parent about the information that will be shared. Protocols are needed to ensure that consent to information sharing is truly voluntary. It may be sufficient in some cases for home visitors to obtain consent from the parent to speak with representatives from a specific juvenile justice agency. In some cases, depending for example on the nature of the case, the type of information being shared, and the age of the client, participation of the young parent’s attorney in the consent process may be necessary and important to protect the young parent’s privacy rights.

Multi-disciplinary teams associated with problem solving courts (e.g., drug court, mental health court, trafficking court) provide an example of limited information sharing to promote a comprehensive approach to supporting justice system involved youth. In these cases, there may be statutory authority allowing parties to share for the specific purpose of addressing a narrow issue (e.g., services and safety of trafficking victims). Typically, there are MOUs among the parties detailing, among other things, limitations on disclosure of shared information.

Whatever protocols are developed, information sharing must be approached with caution, and the participation of the young parent's attorney is critical to protect their rights to privacy and to protect the youth against information being used to justify an escalation in their justice system involvement.

#### **IV. Collaborations should be flexible, allowing for varying methods of supporting young parents in the justice system, and for multiple entry points for connecting with them.**

Given the programmatic responsibilities of home visitors, immersion in the justice system experience of their clients may not be feasible or warranted. Roundtable participants discussed the merits of different levels of involvement and the need to protect the core home visiting functions from being taken over by a demanding court process. There are a variety of ways in which home visitors can play a support or an advocacy role for justice system involved parents.

A home visitor might be able to provide instrumental support including, for example, reminding parents of court dates and helping to gather supporting documents. They may also provide emotional support, such as listening to a parent's concerns about the outcomes of an upcoming court appearance, accompanying them to a court appearance, or encouraging them to avoid situations in which he would be

likely to reoffend. On the other end of the continuum, a home visitor might fully collaborate with justice system representatives and be involved in case planning and advocacy for the teen parent in court and with probation.

Other potential opportunities for collaboration include:

- Joint needs assessments (e.g., by probation and home visiting programs) conducted for pregnant and parenting youth so they are informed by both justice system resources and the parenting support field and literature;
- Joint case and service planning between probation or the juvenile justice agency and home visitors to incorporate parenting supports and supports for clients' children and fully engage the young parent in planning;
- Joint case and service planning between probation or the juvenile justice agency and home visitors to ensure needs and strengths-based services are being provided, taking into account youth's trauma histories, family dynamics, and economic and educational needs;
- Home visitors speaking with probation officers, system caseworkers, or the youth's attorney to verify their clients' participation in a parenting program and offer their perspectives on the strengths of their clients;
- Communication channels that ensure lack of disruption in home visiting services if youth have residential placements while enrolled in home visiting.

It is critical that whatever the level of involvement the home visitor has with the courts and the courts with the home visitor, it be communicated clearly and agreed to by the young parent. It is also critical that the young parent not be disadvantaged in the justice system as a result of their level of participation in a home visiting program.

In addition, none of these pathways into home visiting involvement with youth who are involved in the juvenile justice system are possible if home visiting agencies are not granted access to youth at various points as they move through the system.



## Supporting home visitors with court involved clients: Partnership between Healthy Families Massachusetts (HFM) and Medical Legal Partnership (MLP)

A unique partnership between HFM and MLP began as a pilot and then expanded statewide to provide home visitors with access to legal information and support in their work with court involved young parents.

The core of the partnership is easy and timely access to consultation with the in-house MLP attorney, who serves as a consultant to the home visitor, and does not actually represent the home visitor or the young parent. The goal of the consultation is to educate the home visitor about the legal system, legal issues facing the young parent, and ways the home visitor may be able to assist the client. If needed, MLP will facilitate a warm hand-off to an attorney who can represent the young parent through MLP's network of pro-bono attorneys. The primary goal of the HFM/MFP partnership is to help home visitors work better with clients whose involvement with legal systems complicates their ability to parent effectively and benefit from home visiting services.

The partnership between HFM and MLP has made the legal system more transparent to home visitors, allowing them to help their clients navigate legal challenges and to be more effective advocates. As such it is a creative and low-cost model that can overcome the lack of information and opaque nature of court proceedings that can be a barrier to collaboration between home visiting programs and the juvenile justice system.

Roundtable participants agreed that to ensure maximum access to home visiting programs for parenting youth in the justice system, collaborations must be structured with multiple entry points. Possible entry points and referral sources include child welfare, juvenile court (including child welfare, status offense, and delinquency cases), probation, defense attorneys, detention, and state juvenile justice agencies or facilities.

The most frequent disposition for juveniles is probation and, because the majority of youth on probation live in their homes and in their communities, collaborations between probation and home visiting or other parenting programs may have the potential to benefit the greatest number of youth.

There is also a potential role for a parenting liaison early in the juvenile justice process, perhaps associated with the juvenile court, to link all court involved pregnant or parenting youth to home visiting and other parent support programming.

Given the different decision-makers and rules at these different points, home visiting will need to build relationships with multiple juvenile justice practitioners to facilitate referrals through the juvenile justice process. As a promising example of this practice, when HFM modified its program to build collaborations with juvenile courts, they added representatives from juvenile probation, who were connected to the local court, to the advisory group of the related HFM office. These relationships raised awareness in the court of HFM and resulted in referrals of parents on probation.

## Summary

At the conclusion of the Roundtable, participants across juvenile justice sectors and home visiting programs agreed that the benefits of collaborative partnerships far outweighed the risks – both for systems and youth. The existence of common goals served as a backdrop for the conversation, and resulting action steps focused on design, implementation and evaluation of collaborations, rather than whether such collaborations were advisable in the first

instance. There was a consensus that justice systems are doing too little for pregnant and parenting youth and that collaborations with home visiting programs provide one promising path to begin to fill a clear policy and service gap.

## Conclusion

The evidence reviewed here suggests that despite their significant vulnerability, there is little research and policy attention paid to the opportunities and challenges that occur when any justice system involved youth—male or female—becomes a parent. Given the potential numbers of young parents who are justice system involved and the potential impact this has on the next generation of children, this omission is surprising.

Since juvenile justice agencies may lack the resources to offer specialized programming for parents and their children, and whereas doing so is not directly in their bailiwick, a collaborative partnership between juvenile justice systems and home visiting programs makes good sense. Because juvenile justice systems, particularly those taking a developmental and community-based approach to justice, share many goals with home visiting programs, such a partnership may benefit system involved youth and serve justice system goals in multiple ways.

Youth's experiences in the justice system are often all consuming, impacting their relationships with their own parents and partners and changing their families' dynamic. These youth often experience residential instability (e.g., periodic detentions and placement), which disrupts their family and community support systems, and may lead to interruption in critical social services, including economic, nutrition, health, and educational services, for themselves and their children. Many participants at the policy Roundtable dedicated to considering collaborations between juvenile justice systems and evidence-based home visiting programs felt that home visitors were in a unique position to provide impartial stability and continuity to parents involved in the juvenile justice system. Home visiting programs can assist young parents in connecting to critical

services and staying connected to those services, even in the context of turmoil in youth's lives, as long as they are able to maintain regular contact with youth. Early findings from research currently in progress at Tufts University suggests that in some circumstances home visitors can also assist justice involved participants in meeting the conditions of their system-involvement in a variety of ways, such as by discouraging involvement in behaviors that would lead to violations, and providing encouragement and instrumental support related to their obligations to the court.

There is work to do before the potential benefits of collaborations between home visiting and juvenile justice systems can be realized. A foundational barrier to collaboration is simply the lack of awareness of one another's programs. The policy Roundtable discussed above represented a conversation starter, upon which this paper has expanded. But to build relationships that will make collaborations possible, intentional outreach on both sides is needed.

Funding will also be required to continue to build on the research base, reexamine and rethink policy positions, and launch collaborative initiatives. Although Roundtable participants discussed issues of funding, no specific recommendation was reached. Both home visiting and justice system programs have independent funding streams. Funding may be needed to support a liaison between the two sectors or to plan and develop the collaboration. These functions might be supported as a probation service or as an additional budget item within home visiting programs, which are currently funded by a complicated mix of federal, state, and private foundation monies.

Until funding sources are identified and secured, however, there are no-cost and low-cost ways to begin joint efforts to meet the needs of this population of youth, such as relationship building, cross-training, advisory board involvement, dissemination of extant research findings, and documentation of key leaders who can serve as points of contact.



## Florida and Massachusetts: Two approaches to implementing home visiting for juvenile justice involved mothers

With continued funding from the Annie E. Casey Foundation, researchers at Tufts University are currently engaged in a qualitative research study intended to further explore the ideas for potential cross-agency collaboration generated at the 2018 Roundtable, and examine in depth the perceived benefits of two different models of home visiting programs for justice system involved youth. Researchers are investigating Florida State University's Young Parents Project (YPP) and Children's Trust's HFM to compare and contrast each program's scope, design and curricula, goals, and operational practices. In addition, research is focusing on each program's experiences with clients who are justice system involved, and desired and actual experiences collaborating with representatives from the juvenile justice system on behalf of young parent clients.

The HFM and YPP programs are distinct in their intended reach. HFM is a statewide, universal, voluntary home visiting program serving all first-time parents ages 20 and under and their children. YPP is a small home visiting program spearheaded in 2005 by a juvenile court judge who recognized a dearth of services to address the needs of court-involved pregnant and parenting young women, and to disrupt the intergenerational cycle of delinquency and teen pregnancy; the program operates in two Florida circuits targeted specifically at court-involved young mothers ages 13-19 and their children. While YPP is tailored to this population of youth, HFM accommodates this population, and over the past year has begun implementing modifications to enhance its services for this population. The programs' service delivery approaches differ as well, with HFM pairing one home visitor with each young parent, and YPP pairing a multidisciplinary team of three home visitors with each young parent. Both programs are flexible and individualized to the needs of the client, and have some overlapping goals and curricular components.

The Tufts researchers are interviewing justice involved young parents who are enrolled in HFM, home visitors from both HFM and YPP who have worked with system involved parents, and representatives from the juvenile justice system in Florida. Interviews are exploring questions such as: What are the benefits of home visitors advocating for young parents who are system involved? What are some challenges that home visitors encounter in trying to advocate for the best outcomes for parents and their children? How are home visitors received by justice system representatives in these cases? What do home visitors need to understand about system involvement to help young parents?

The ultimate goal of the study is to propose recommendations aimed at strengthening existing home visiting services and systems of care for this uniquely vulnerable population, as well as recommendations for achievable and effective collaborations between home visiting agencies and juvenile justice agencies.

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**Appendix A. Table of State Statutes, Regulations and Policies Related to Pregnant and Parenting Youth in State Juvenile Justice Systems**

| State          | Health  |            |        | Safety and Restraints |            |        | Parenting Education |            |        | Child & Parent Placement Post Birth |            |        |
|----------------|---------|------------|--------|-----------------------|------------|--------|---------------------|------------|--------|-------------------------------------|------------|--------|
|                | Statute | Regulation | Policy | Statute               | Regulation | Policy | Statute             | Regulation | Policy | Statute                             | Regulation | Policy |
| Alabama        |         | X          |        |                       |            |        |                     |            |        |                                     |            |        |
| Alaska         |         |            |        |                       |            |        |                     |            |        |                                     |            |        |
| Arizona        |         |            | X      |                       |            | X      |                     |            | X      |                                     |            |        |
| Arkansas       |         |            |        |                       |            |        |                     |            | X      |                                     |            | X      |
| California     |         | X          | X      |                       | X          | X      |                     | X          | X      |                                     |            | X      |
| Colorado       |         |            | X      |                       | X          | X      |                     |            |        |                                     |            | X      |
| Connecticut    |         |            |        |                       |            |        |                     |            |        |                                     |            |        |
| Delaware       |         |            |        |                       | X          |        |                     |            |        |                                     |            |        |
| Florida        |         | X          | X      |                       |            |        |                     | X          | X      |                                     |            | X      |
| Georgia        |         |            | X      |                       |            |        |                     |            |        |                                     |            |        |
| Hawaii         |         |            |        |                       |            |        | X                   |            |        | X                                   |            |        |
| Idaho          |         | X          |        |                       |            |        |                     | X          |        |                                     | X          |        |
| Illinois       |         | X          |        |                       |            |        |                     |            | X      |                                     |            |        |
| Indiana        |         |            | X      |                       |            |        |                     |            |        |                                     |            | X      |
| Iowa           |         |            |        |                       |            |        |                     |            |        |                                     |            |        |
| Kansas         |         | X          |        |                       |            |        |                     |            |        |                                     | X          |        |
| Kentucky       |         |            | X      |                       |            | X      |                     |            | X      |                                     |            |        |
| Louisiana      |         |            | X      | X                     |            |        |                     |            | X      |                                     |            | X      |
| Maine          |         |            | X      |                       | X          |        |                     |            | X      |                                     |            | X      |
| Maryland       |         |            | X      |                       | X          | X      |                     |            |        |                                     |            |        |
| Massachusetts  |         |            | X      |                       |            |        |                     |            |        |                                     |            |        |
| Michigan       |         |            | X      |                       |            |        |                     |            |        |                                     |            |        |
| Minnesota      |         | X          |        |                       |            |        |                     | X          |        |                                     |            |        |
| Mississippi    |         |            | X      |                       |            |        |                     |            | X      |                                     |            | X      |
| Missouri       | X       |            |        | X                     |            |        |                     |            |        |                                     |            |        |
| Montana        |         |            |        |                       |            |        |                     |            |        |                                     |            |        |
| Nebraska       |         |            | X      |                       |            |        |                     |            | X      |                                     |            | X      |
| Nevada         |         |            |        | X                     |            |        |                     |            |        |                                     |            |        |
| New Hampshire  |         |            |        |                       |            |        |                     |            |        |                                     |            |        |
| New Jersey     |         | X          |        |                       |            |        |                     | X          |        |                                     | X          |        |
| New Mexico     |         |            |        | X                     |            |        |                     |            |        |                                     |            |        |
| New York       |         | X          |        |                       | X          | X      |                     |            |        |                                     |            |        |
| North Carolina |         |            |        |                       |            |        |                     |            |        |                                     |            |        |
| North Dakota   |         |            |        |                       |            |        |                     |            |        |                                     |            |        |
| Ohio           |         | X          |        |                       |            |        |                     |            |        |                                     | X          |        |
| Oklahoma       |         |            |        |                       |            |        |                     |            |        |                                     |            |        |

|                       |  |   |   |   |   |   |   |   |   |  |   |   |
|-----------------------|--|---|---|---|---|---|---|---|---|--|---|---|
| <b>Oregon</b>         |  |   | X |   |   | X |   |   |   |  | X | X |
| <b>Pennsylvania</b>   |  | X |   |   | X |   |   |   |   |  |   |   |
| <b>Rhode Island</b>   |  | X | X |   | X | X |   |   |   |  |   |   |
| <b>South Carolina</b> |  |   |   |   |   |   | X |   |   |  |   |   |
| <b>South Dakota</b>   |  |   |   |   |   |   |   |   |   |  |   |   |
| <b>Tennessee</b>      |  | X | X |   | X | X |   |   | X |  |   | X |
| <b>Texas</b>          |  | X | X | X | X | X |   |   |   |  |   | X |
| <b>Utah</b>           |  |   | X |   |   | X |   |   |   |  |   |   |
| <b>Vermont</b>        |  |   |   |   |   |   |   |   | X |  |   | X |
| <b>Virginia</b>       |  |   |   |   |   |   |   |   |   |  |   |   |
| <b>Washington</b>     |  |   | X | X |   | X |   |   |   |  |   |   |
| <b>West Virginia</b>  |  |   |   |   | X |   |   |   |   |  |   |   |
| <b>Wisconsin</b>      |  |   |   |   |   |   |   |   |   |  |   |   |
| <b>Wyoming</b>        |  |   |   |   |   |   |   | X |   |  |   |   |



## Appendix B: Juvenile Justice System and Decision Makers: Flow Chart

