

Nash Bridges: Renowned Judge Building L.A.'s Plan to Reach Crossover Youth

chronicleofsocialchange.org/child-welfare-2/nash-bridges-renowned-judge-building-l-a-s-plan-to-reach-crossover-youth/31198

June 11, 2018



Probation Chief Teri McDonald, Office of Child Protection Director Michael Nash and DCFS Director Bobby Cagle at a conference in L.A. last week. Photo credit: CSC

In March, the Los Angeles County Board of Supervisors passed a motion that promised to tackle one of the most pressing issues the county's child welfare and juvenile justice systems face: how to change the tragically life-altering effects of being caught up in both.

For oft-labeled "crossover youth," having a foot in both systems can easily result in incarceration, homelessness and substance abuse issues later in life. Amid the bleak outcomes for foster youth and those involved in the juvenile justice system, this particular group of youngsters fare the worst.

Over the past year, new research and pronounced philanthropic focus have elevated the plight of these young people. But most importantly, the man with arguably the most knowledge on how to use the courts to ensure that crossover kids are no longer forgotten by probation or child protective services has been designated to make sure that happens.

Michael Nash — the onetime presiding judge of L.A. County's juvenile courts, and a past president of the National Council of Juvenile and Family Court Judges — now leads the county Office of Child Protection. And he has been tasked with leading the charge with a mind to convene some of the brightest minds in the county and nation toward this intractable goal.

Nash has extended a wide call to the county's child welfare and juvenile justice community – including children's attorneys, county social workers, researchers, community-based stakeholders and other advocates – to invigorate an effort that has flagged a bit in recent years.

"There hasn't been as much attention focused on this over the last couple years," Nash said. "So it's really important now, to look and say where are we with this."

Nash's central task will be to figure out a way to craft a unifying strategy for two massive systems. The Los Angeles Department of Children and Family Services (DCFS) oversees the cases of 35,000 children who receive some form of child welfare services, while the Probation Department supervises about 9,000 young people, including about 1,100 incarcerated in county juvenile halls and camps.

"The biggest challenge for L.A. is the size, the fact you have courthouses all over the county," said Shay Bilchik, director of Georgetown University's Center for Juvenile Justice Reform, which has helps jurisdictions implement its proprietary Crossover Youth Practice Model. "If I'm working in Omaha, Nebraska, I've got one central court location and that's where all the coordination takes place. You're going to need to be more agile, and more creative, in L.A. than in other places."

Some of the pathways of dual involvement are clear: foster youth frequently come into contact with the criminal justice system when law enforcement is called to handle challenging behavioral issues at foster homes or group homes, and many families involved with the juvenile justice system have experiences of abuse and neglect, often in impoverished circumstances.

It's difficult to know exactly how many youth have moved from one system to the other. One 2015 estimate suggested that up to half of all youth served by the juvenile delinquency courts have had some involvement with the child welfare system, whether that's an open case or a prior history with the department.

What is known about crossover youth in L.A. County has come through several stunning pieces of research in recent years.

In 2011, a landmark study from University of Pennsylvania researcher Dennis Culhane opened up a clear look at the characteristics of crossover youth in the county for the first time.

Culhane's Conrad N. Hilton Foundation*-funded research found what many advocates had long maintained: Crossover youth were more likely than their peers in foster care to live in group settings and institutions, which research has tied to lower educational achievement. The majority of crossover youth spent their last years in the foster care system incarcerated in either the juvenile or adult correctional system.

Public costs associated with crossover youth was high, according to the report: \$35,171 over the first four years of adulthood, more than double that of youth in the probation or child welfare systems.

The study estimated that about 10 percent of 20,000 youth under probation supervision at that time were foster children, but more recent scholarship has broadened that estimate considerably.

Another study last year, using administrative data linkages, found that 83 percent of probation youth studied had some form of contact with the child welfare system. For some it was a referral for abuse or neglect, while others were removed from their families as part of substantiated report by a DCFS social worker.

“This underscores that the foster care to juvenile justice pipeline is real and more common than we may choose to mention,” said L.A. County Supervisor Mark Ridley-Thomas, referring to that study at a recent board meeting.

At the state level, finding solutions has also gained momentum.

Last year, the Judicial Council of California completed a set of recommendations to the state legislature around improving the identification of crossover youth. Among the most significant issues for the state and counties are the lack of authority and funding for data collection, as well the lack of a comprehensive juvenile justice data system.

L.A. County is far from starting from scratch. Back in 2011, Nash himself took a personal hand in crafting the county’s 241.1 protocols, the set of rules that govern how both DCFS social workers and probation officers should collaborate when serving crossover youth.

The county has also set up a partnership to serve crossover youth with the Children’s Law Center of California, the nonprofit law firm that represents all children in foster care in Los Angeles. The Crossover Advocacy and Resource Effort (CARE) pilot program was set up in 2014 to make sure some of these youth – usually first-time offenders – were connected to services like educational and mental health supports, critical needs for youth preparing to age out of the system.

In Los Angeles, the March motion brought forward by Supervisors Ridley-Thomas and Hilda Solis noted that “Countywide cross-system collaboration has waned and challenges have emerged.” DCFS recently ended a pilot project designed to prevent foster youth from entering the justice system and regular data reports from California State-Los Angeles researcher Denise Herz, a pre-eminent expert on crossover youth.

As L.A. seeks to revamp its strategies for crossover youth, it should start with several key areas, according to several experts in the field. Among them:

- Can the county’s system adequately identify when a youth crosses over to another system, either through an automated procedure or a manual check by county personnel?

- Is the county's training process adequately preparing probation officers and DCFS social workers to work with crossover youth, including how to collaborate more effectively and prevent confusion for families involved with two systems?
- How will the county focus its efforts on identifying and preventing youth from moving between systems, and can the county create more opportunities for foster youth to benefit from its new juvenile diversion effort?
- How is the county providing resources like housing, education and job training to crossover youth that will help support a successful transition to adulthood for these young people?
- Last, how will the county keep tabs on its population of crossover youth and ensure that its new plans are working and not leaving young people to struggle as soon as they leave the system?

For Nash, the mandate is clear. Over the next couple months, he will harness a room full of advocates, county workers and stakeholders toward improving the outcomes of child welfare's most challenging population.

That will take more than just the inspiration and leadership that the former judge is known for.

"Everything we do here is like a building a house," Nash said. "You don't just draft a protocol, implement it and say we're done. You have to constantly maintain everything that you're doing."

* The Conrad N. Hilton Foundation funds *The Chronicle of Social Change* .