



Transition-Age Youth (TAY) Pilot Program

Evaluation Report

December 2020

Report prepared by Evident Change for the Board of State and
Community Corrections pursuant to Penal Code sec. 1000.7

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Executive Summary

Introduction

Senate Bill (SB) 1004 (Ch. 865, Statutes of 2016) and SB 1106 (Ch. 1007, Statutes of 2018)¹ provided six counties (Alameda, Butte, Napa, Nevada, Santa Clara, and Ventura) the opportunity to implement a Transition-Age Youth (TAY) pilot program with deferred entry of judgement in juvenile halls for young adult offenders.² Recent behavioral and psychoneurological research suggesting that young adults (between the ages of 18 and 24) have not fully matured and may developmentally benefit from rehabilitative rather than punitive approaches to corrections³ initiated the legislation.⁴

To be eligible for the TAY program, potential participants must meet statutory criteria, including age range (must be between the ages of 18 and 24 at the time of the qualifying offense), offense type (must be charged with a felony offense, other than a violent, serious, or sexual felony), and prior record (cannot have a prior conviction for a violent, serious, or sexual felony offense), be found suitable for the program through use of a risk assessment tool, and would have otherwise served time in custody in a county jail. Candidates must consent to participate in the program and agree to waive their right to a trial or hearing, plead guilty to the charge(s), and waive time for the pronouncement of the judgment. TAY program participants engage in services such as cognitive behavioral therapy and age-appropriate educational and vocational programming and participate in community supervision. Upon a participant's successful completion of the program, the court will dismiss the participant's criminal charge(s) associated with this sentence.

Evaluation Design

The legislation authorizing the TAY programs requires the Board of State and Community Corrections (BSCC) to conduct an evaluation of the programs' impact and effectiveness and to submit a comprehensive evaluation report to the Assembly and Senate

¹ SB 1106 amended SB 1004 by extending the operative date of authorization to establish a pilot program to January 1, 2022, and expanding the scope of the program to include Ventura County. Ventura County ultimately chose not to participate in the TAY pilot program and is not included in this report.

² A third law related to the TAY program, AB 1390, was enacted in July 2019. AB 1390 expanded the criteria to include young adults between the age of 21 and 24 at the time of their qualifying offense.

³ Cauffman, E. (2012). Aligning justice system processing with developmental science. *Criminology and Public Policy*, 11(4), 751–758. doi:10.1111/j.1745-9133.2012.00847.x; Farrington, D. P., Loeber, R., & Howell, J. C. (2012). Young adult offenders: The need for more effective legislative options and justice processing. *Criminology and Public Policy*, 11(4), 729–750. doi: 10.1111/j.1745-9133.2012.00842.x; Scott, E., Bonnie, R. J., & Steinberg, L. (2016). Young adulthood as a transitional legal category: Science, social change, and justice policy. *Fordham Law Review*, 85(2), 641–666; Steinberg, L. (2012). Should the science of adolescent brain development inform public policy? *Issues in Science and Technology*, 28(3), 70–76.

⁴ Senate Committee on Public Safety. (2016). SB 1004—Transitional Youth Diversion Program Bill Analysis. http://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201520160SB1004

Committees on Public Safety by December 31, 2020. In May 2020, the BSCC contracted with Evident Change to conduct this evaluation.⁵

Building off the original evaluation plan developed by the BSCC, the Evident Change evaluation team used a mixed-method and participatory process-based approach to examine the TAY programs' impact and effect in three primary areas (outlined in SB 1004): (1) sentencing, especially opportunities for community supervision; (2) the presence of the program on the minors in the juvenile facility; and (3) effectiveness in such areas as program completion, skill improvements, and recidivism. The team also conducted a qualitative process evaluation that explored how TAY programs were structured, implemented, and operated; program challenges and successes; and program staff's knowledge, perceptions, and recommendations for improvement.

This report is the first of two reports that Evident Change will submit to the BSCC. This first report summarizes findings based on available data through mid-December 2020, with an emphasis on qualitative and descriptive findings. The evaluation team will update this report, through a no-cost contract extension with the BSCC, to add analyses of California Department of Justice (DOJ) data and expand the evaluation's findings and conclusions related to sentencing and recidivism. Evident Change will submit this follow-up report to the BSCC by March 31, 2021.⁶

Limitations of This Report

Some limitations of the current report are that the findings are based on qualitative data collected through a relatively small number of interviews with TAY county representatives and BSCC staff, descriptive statistics drawn from responses to a survey administered to TAY staff and stakeholders, and documents such as the TAY program application that each county submitted to the BSCC. Results represent only the perspectives of those who chose to participate in an interview and/or respond to a survey. In addition, at this time the findings do not include analyses of quantitative outcome data; these analyses will be included in the follow-up report that Evident Change will submit in March 2021.

⁵ Evident Change (formerly the National Council on Crime & Delinquency and Children's Research Center) is a nonprofit that uses data and research to improve our social systems. Evident Change was selected through a competitive request for proposals process and was the highest scoring proposal.

⁶ Data to examine the TAY program's impact on sentencing and recidivism were received too late to be analyzed and included in this report by the December 31, 2020, deadline. A follow-up report including these analyses will be submitted in March 2021.

Findings

The key findings of this evaluation report are as follows.

TAY programs were customized to meet each county's needs and context. The evaluation data indicate some differences in how each of the five participating counties operated its TAY program. These include areas such as assessment of candidates' eligibility and suitability, program duration, inclusion of an in-custody component, and determination of successful program completion. In all, 219 young adults participated in a TAY program during the evaluation period, with an overall successful completion rate of 69.2%.

TAY programs had minimal impact on youth in juvenile hall. Providing housing and programming for TAY participants in the juvenile facilities required TAY pilot counties to develop and implement policies and procedures to keep detained juveniles and incarcerated adults apart from each other and to meet federal and state regulations regarding sight and sound separation.⁷ TAY county representatives reported minimal, if any, impacts of the TAY program and participants on the youth in their respective juvenile facilities. This assessment is supported by a low number of sight and sound incident reports—for a total of three reports submitted to the BSCC—all of which were for minor, brief incidents that the BSCC determined did not violate federal regulations.

TAY programs encountered various challenges. Areas that challenged one or more counties included gaining buy-in for the program from system partners, reaching agreement across system partners about who was eligible and suitable for the program, and enrolling appropriate candidates; at times, this included diverging from SB 1004's intent. One TAY county representative stated, "In some cases, the judge will order us to accept someone into the program even if we found them unsuitable but eligible." In addition, perceptions on the use of the juvenile hall component varied, as did establishing agreement about what successful program completion meant. Counties' responses to the COVID-19 pandemic challenged both programmatic resources and program adherence.

TAY programs experienced successes at the individual and program levels. Successes include the pro-social relationships that participants developed with program staff and the progress they made on personal goals related to education and employment as well as the overall intent of the program to dismiss successful participants' charges. One county representative said about their county's TAY program, "We've really delivered on having a whole person approach and have been really successful on identifying needs and supporting young people on identifying their own goals and steps."

TAY staff and stakeholders felt programs are beneficial and made recommendations for improvement. County representatives generally believed the TAY pilot is a program that is worthy of the effort and provides positive services, supports, and opportunities for

⁷ The federal Juvenile Justice Delinquency and Prevention Act includes provisions for sight and sound separation: [https://www.juvjustice.org/sites/default/files/resource-files/JJDP%20Complete%20Act%20\(2018\).pdf](https://www.juvjustice.org/sites/default/files/resource-files/JJDP%20Complete%20Act%20(2018).pdf). California law provides similar standards: WIC 208, http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=208.&lawCode=WIC; WIC 207.1(f), https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=207.1.&lawCode=WIC.

young adults. Most indicated the following: (1) the TAY program is beneficial to young adults in their community, (2) they would like to see an increase in agreement and consistency in the operationalization of eligibility and suitability between stakeholders in the decision making for their community, (3) they would like to see a standard operationalization and agreement on defining successful and unsuccessful completions, and (4) funding for support and enhancement of the effort is necessary to move the project beyond a pilot status.

Conclusion

The TAY program effort, generally, has experienced successes and challenges in supporting young adults within a juvenile justice–focused framework. Those lessons learned could serve as a framework for policymakers, local government agencies, and service providers as they consider implementation of new programs targeted at transition-age youth.

Introduction

Senate Bill (SB) 1004 (Ch. 865, Statutes of 2016) and SB 1106 (Ch. 1007, Statutes of 2018)⁸ provided six counties (Alameda, Butte, Napa, Nevada, Santa Clara, and Ventura) the opportunity to implement a Transition-Age Youth (TAY) pilot program with deferred entry of judgment in juvenile halls for young adult offenders.⁹ Recent behavioral and psychoneurological research suggesting that young adults (between the ages of 18 and 24) have not fully matured and may developmentally benefit from rehabilitative rather than punitive approaches to corrections¹⁰ initiated the legislation.¹¹

To be eligible for the TAY program, potential participants must meet the following requirements, as stated in SB 1004.

1. Must be between the ages of 18 and 20 at the time of the offense (note: AB 1390, enacted in July 2019, expanded the age range to include young adults between the ages of 21 and 24 at the time of the offense).
2. Must be found suitable for the program using a risk assessment instrument.
3. Must be found able to benefit from services generally reserved for delinquents.
4. Must meet the rules of the juvenile hall developed in accordance with applicable regulations set forth in Title 15 of the California Code of Regulations.
5. Must be charged with a felony offense, other than a violent, serious, or sexual felony offense.
6. Cannot have a prior conviction for a violent, serious, or sexual felony offense.
7. Cannot be required to register as a sex offender pursuant to Chapter 5.5 of Title 9, Part 1.
8. Would have otherwise served time in custody in a county jail.
9. Must consent to participate in the program and agree to waive their right to a speedy trial or preliminary hearing, plead guilty to the charge or charges, and waive time for the pronouncement of the judgment.

For an individual who is determined to be eligible and suitable for, and who consents to participate in, the TAY program, the court enters a deferred entry of judgment. This

⁸ SB 1106 amended SB 1004 by extending the operative date of authorization to establish a pilot program to January 1, 2022, and expanding the scope of the program to include Ventura County. Ventura County ultimately chose not to participate in the TAY pilot program and is not included in this report.

⁹ A third law related to the TAY program, AB 1390, was enacted in July 2019. AB 1390 expanded the program's criteria to include young adults who are between the age of 21 and 24 at the time of the offense that makes them eligible for the program. Program participation by an individual in this age group must be approved locally by the jurisdiction's multidisciplinary team established for this project.

¹⁰ Cauffman, E. (2012). Aligning justice system processing with developmental science. *Criminology and Public Policy*, 11(4), 751–758. doi:10.1111/j.1745-9133.2012.00847.x; Farrington, D. P., Loeber, R., & Howell, J. C. (2012). Young adult offenders: The need for more effective legislative options and justice processing. *Criminology and Public Policy*, 11(4), 729–750. doi: 10.1111/j.1745-9133.2012.00842.x; Scott, E., Bonnie, R. J., & Steinberg, L. (2016). Young adulthood as a transitional legal category: Science, social change, and justice policy. *Fordham Law Review*, 85(2), 641–666; Steinberg, L. (2012). Should the science of adolescent brain development inform public policy? *Issues in Science and Technology*, 28(3), 70–76.

¹¹ Senate Committee on Public Safety. (2016). SB 1004—Transitional Youth Diversion Program Bill Analysis. Retrieved from http://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201520160SB1004.

person then can be enrolled into a TAY program, where they can serve up to one year in custody in the juvenile hall. While in the TAY program, participants receive services and supports such as cognitive behavioral therapy, other mental health services, and age-appropriate educational, vocational, and supervision services. Additionally, the probation department develops a plan for reentry services, including but not limited to housing, employment, and education. Upon a participant's successful completion of the program, the court will dismiss the participant's criminal charge(s) associated with this sentence. However, if the probation department finds an individual to have performed unsatisfactorily while in the program,¹² the probation department may make a motion for entry of judgment. Upon receiving the motion, the court conducts a hearing to determine if judgment should be entered. If the court determines that the individual performed unsatisfactorily in the program or was not benefiting from the services in the program, the court renders a verdict of guilty to the charge(s) pleaded and schedules a sentencing hearing.

Before starting a TAY program, each county submitted a detailed application to the Board of State and Community Corrections (BSCC) for approval. The BSCC reviewed the available programming, capacity, and safety of the county's juvenile hall and made a determination as to the suitability of the juvenile hall as a place of confinement for program participants and juveniles.

The legislation also requires the BSCC to conduct an evaluation of the programs' impact and effectiveness. BSCC is also mandated to submit a comprehensive evaluation report to the Assembly and Senate Committees on Public Safety by December 31, 2020.¹³ The evaluation must address the following areas: (1) the impact of the TAY program on sentencing, especially on opportunities for community supervision; (2) the impact of the TAY program on minors in the juvenile facility; and (3) the effect of the TAY program on participants compared with the results for young adult offenders sentenced for similar crimes who did not participate in the TAY program. In May 2020, the BSCC contracted with Evident Change to conduct this evaluation.¹⁴

Evaluation Design

Building off the original evaluation plan developed by the BSCC, the Evident Change evaluation team used a mixed-method and participatory process-based approach to examine the impact and effect of the TAY programs. The evaluation was framed within

¹² While the definition of successful completion varied across programs (see qualitative evaluation section of the report), in general, participants could be found to have an unsatisfactory completion of the program if they committed a new offense or violated the conditions of the program.

¹³ SB 1106 established the deadline for the comprehensive report of December 31, 2020.

¹⁴ Evident Change (formerly the National Council on Crime and Delinquency and the Children's Research Center) is a nonprofit that uses data and research to improve social systems.

three primary (outlined in SB 1004) and four secondary evaluation questions (EQs). Those questions were as follows.

Primary Evaluation Questions

1. What is the TAY program's impact on sentencing, especially opportunities for community supervision?
2. What is the impact of the presence of the program on the minors in the juvenile facility?
3. What is the program's effectiveness with respect to program participants and a comparison group?

Secondary Evaluation Questions

4. How is the program structured?
5. How is the program implemented and operated?
6. What challenges and successes did the program experience?
7. What are program staff's knowledge, perceptions, and recommendations related to improving TAY programs?

This report is the first of two reports that Evident Change will submit to the BSCC regarding the TAY pilot program evaluation. This first report summarizes findings for the EQs based on available data through mid-December 2020 (details below). The evaluation team will later update this report, through a no-cost contract extension with the BSCC, to add an analysis of California Department of Justice (DOJ) data, which will expand the evaluation's findings and conclusions related to sentencing and recidivism. Evident Change will submit this follow-up report to the BSCC by March 31, 2021.

Methods

EQ1

To assess the impact of the TAY program on sentencing, the evaluation team sought to examine whether the proportion of community supervision sentences was different for two groups: a comparison group and a TAY participant group. A nonequivalent control group design will be used to compare these two groups: (1) a comparison group consisting of individuals sentenced before TAY was a sentencing option, specifically during the 18-month period between April 1, 2015, and September 30, 2016, and (2) a TAY participant group sentenced in the 18-month period beginning on the starting date for each county's TAY pilot (start date varied by county). The comparison group was identified in the BSCC evaluation plan, indicating that the time period for selecting people for that group was chosen because it was after the enactment of Proposition 47, which

reclassified certain felony offenses to misdemeanors, and before SB 1004 went into effect on January 1, 2017.

The creation of the comparison and TAY participant groups required submitting multiple research and data requests to DOJ to obtain criminal history information of individuals between 18 and 20 years of age who were convicted of/sentenced for a felony during the sample periods. The evaluation team requested data on the comparison group from DOJ on October 8, 2020, and facilitated the request for data on the TAY participant groups, which were made by each participating county in the pilot, in September and October 2020 (specific dates available upon request). The evaluation team also conducted several follow-up requests to DOJ for status updates. On December 10, 2020, the evaluation team received these data from DOJ. Analyses of these data will be included in the follow-up report.

Using the data obtained from DOJ, the evaluation team will analyze the criminal history data and populate groups by people meeting the statutory eligibility criteria for TAY, which will allow for a comparison of sentencing for TAY-eligible individuals before and after the beginning of the TAY program. Bivariate analyses will be conducted to examine the differences in proportion for each type of sentence by study group, with particular focus on community supervision. A drop in the proportion of community supervision–only sentences after the launch of the program would indicate the net has been widened if those who might have only received community supervision are placed in the program and thus possibly subjected to incarceration. Net-widening is a term often used by criminal justice scholars, practitioners, and advocacy organizations to describe the unintended consequence of programs designed to divert individuals from system involvement. Net-widening occurs when, instead of reducing the number of people who are formally processed through the justice system, the program or policy increases individual involvement in the justice system.¹⁵

In addition to the quantitative data collection from DOJ, the evaluation team collected qualitative data through staff and stakeholder interviews and surveys to examine other factors that may cause sentencing patterns to change other than net-widening, such as a change in laws, policy, or practice for prosecutors or the court.

EQ2

The evaluation team reviewed the notifications sent to the BSCC on any sight and sound separation incidents that occurred in the facilities during the evaluation period and conducted interviews of key staff that aimed to (1) identify the extent, nature, and impact

¹⁵ Macallair, D., & Roche, T. (2001). Widening the net in juvenile justice and the dangers of prevention and early intervention. Justice Policy Institute. Washington, DC. Retrieved <https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=192131>

of any contact between youth in juvenile hall and TAY program participants, and (2) examine how the program impacted juvenile hall operations.

EQ3

Using a nonequivalent control group design, the method for examining program effectiveness includes comparing outcomes among three groups: (1) TAY participant group—individuals who participated in a TAY sentence between the time the program started and the end of December 2020; (2) comparison group—the same group used to examine EQ1; and (3) TAY opt-out group—individuals who met the criteria for and opted out of participating in a TAY program for various reasons.

Inclusion of Opt-Out Comparison Group: As a part of launching the project, the evaluation team conducted data discovery efforts that included individual calls with each TAY pilot county to (1) identify the process of and types of local data and data collection, (2) identify key stakeholders who should be part of both the qualitative and quantitative data collection, and (3) identify and address barriers to data collection. During this data discovery, the team learned that each county is implementing the expectations of the TAY program, as outlined in SB 1004, in slightly different ways. As a result, the evaluation team initiated the consideration of a second comparison group of individuals who were eligible for but chose to opt out of the program. While the numbers for this group are smaller than those in the pre-TAY comparison group, the evaluation team determined that the opt-out group would create a more reliable or similar comparison sample to the TAY program participants due to the local variation in identifying, referring, and enrolling individuals into the program. Data on the opt-out group were included in the county requests and were received from DOJ on December 10, 2020. Analyses will be included in the follow-up report.

Considerations for Recidivism Analysis: For inclusion in the follow-up report, the evaluation team will establish two sets of TAY participants. These two sets are being considered in order to address COVID-19 restrictions that may have an impact on program delivery. To ensure individuals are generally similar across all participants, the first group will include TAY participants who were discharged from the program six months prior to the issuance of local shelter-in-place orders. The second group will include people who were discharged during shelter-in-place orders. This approach will allow the evaluation team to (1) compare outcomes between the study groups before COVID-19 and (2) examine outcomes related to COVID-19 shelter-in-place orders.

Operational Definition of Recidivism: Recidivism will be examined for both arrest and conviction data as available from DOJ, and will be classified by offense severity (felony, misdemeanor, status offense, etc.) and category (person, property, drug, etc.) and disaggregated by other administrative actions such as violation of probation and court sanctions.

Data Analysis: The analyses will examine three aspects of the TAY programs: (1) pre-existing differences among the comparison group, TAY participants, and opt-out groups (e.g., demographics, offense history, etc.); (2) general outcomes of TAY participants (e.g., program dosage, successful completions, improved educational skills, etc.); and (3) recidivism differences between all three groups up to six months after program exit. The initial analyses will include distributions or descriptives, rates of program completion and general outcomes, and descriptives on the rates and types of recidivism. Additional analyses will be determined based on the final number of individuals included in each group and the types of variables included in the final dataset after discussion with project partners.

Secondary Evaluation Questions

To examine the secondary evaluation questions (EQs 4–7), the team conducted an integrated qualitative process evaluation using data collected from interviews and surveys with probation staff and other stakeholders and from program documents. The following section provides a description of the qualitative data collection methods.

TAY Pilot Matrix: Each TAY pilot is tailored to meet the needs of the individual county. The evaluation team reviewed each participating county’s TAY pilot program descriptions, protocols, procedures, and other relevant documents and developed a matrix of key elements of the overall program design across the TAY pilot. This matrix included: (1) participant eligibility process including assessments, (2) length of time of the in-custody component, (3) in-custody programs and services, (4) length of time of the supervision component, (5) supervision period programs and services, (6) total length of program, and (7) identified outcomes and criteria for success. The matrix informs the overall evaluation approach in two ways: first, it frames out a comprehensive picture of the program to guide aggregation of the results of data analyses as a project-wide evaluation; second, it allows the evaluation team to provide a description of each county’s program and comparisons across counties.

Stakeholder and Staff Interviews: Between September and November 2020, the evaluation team conducted nine qualitative interviews with a range of people who are knowledgeable about the TAY programs. These included in-depth interviews with one to three probation representatives of each TAY program (such as the TAY program director and/or the manager or coordinator of specific program components) and with BSCC field representatives responsible for working with counties involved in the program. Interviews focused on several key areas: (1) how the TAY program operated, including participant identification, eligibility, enrollment, programming, and program exit; (2) effects of the program on juvenile hall protocols; and (3) successes, challenges, suggestions for improvement, and lessons learned from operating the program. The evaluation team also had an opportunity to have conversations with three people in one county who work for agencies other than probation and have a role in identifying and/or referring potential candidates to the program.

Stakeholder and Staff Surveys: Using the data collected during the interviews, the evaluation team developed an online survey for probation staff and other stakeholders (such as judges, district attorneys, public defenders, community-based providers, etc.) with current or previous involvement in their local TAY program. The survey aimed to collect information on such topics as (1) perceptions of working with transition-age youth; (2) TAY participant identification, eligibility, and suitability; (3) impacts of TAY participants in juvenile facilities; and (4) program challenges, successes, and recommendations for changes or improvements. The evaluation team worked with the probation department in each county to administer the survey, which was available online for approximately three weeks in November 2020. In all, the survey was sent to more than 110 individuals. The analysis is based on 52 responses. About half (52.0%) of survey respondents reported that they work for the probation department, while about one fifth (19.2%) work for the district attorney's office or public defender's office and one sixth (15.4%) for community-based providers. The remainder of respondents represent such agencies as the court, county office of education, and county behavioral health services. In order to preserve anonymity, respondents' county was not collected. Survey data are referenced throughout the report. For a compilation of quantitative survey responses, please see Appendix A.

Limitations of This Report

Some limitations of the current report are that the findings are based on qualitative data collected through a relatively small number of interviews with TAY county representatives and BSCC staff, descriptive statistics drawn from responses to a survey administered to TAY staff and stakeholders, and documents such as the TAY program application that each county submitted to the BSCC. Results represent only the perspectives of those who chose to participate in an interview and/or respond to a survey. In addition, at this time the findings do not include analyses of quantitative outcome data; these analyses will be included in the follow-up report that Evident Change will submit in March 2021.

Overview of the TAY Programs

Each TAY program is customized to meet the needs of the participating county and respond to the local community context. As a result, the evaluation team found some differences among programs. For example, while all programs were originally designed to include an in-custody component and a community supervision component, in practice some counties either did not implement an in-custody component or did not include an in-custody component for all participants. Other areas related to program operation, including assessment of eligibility and suitability, program duration, and determination of successful program completion, also tended to vary by county.

For information about the expected length of each county's program components (prior to the COVID-19 pandemic), see Table 1. Table 2 provides an overview of some statistics

related to each county’s program participants. For a brief description of each county’s program, please see Appendix B.

Table 1. Expected Duration of TAY Program Components, by County

COUNTY	Included In-Custody Component for All or Some Participants?	Expected Duration of In-Custody Component	Expected Duration of Community Supervision Component	Expected Duration of Entire Program
Alameda	Yes, some	30–45 days	8–11 months	About 12 months
Butte	Yes, all	About 90 days	About 9 months	About 12 months
Napa	No, did not use this component	n/a	12 months	12 months
Nevada	Yes, some	Varied	Varied	12–18 months
Santa Clara	Yes, all	30–60 days	6–9 months	About 12 months

Table 2. TAY Program Enrollment, Completion, and Duration, by County

COUNTY	Start Date of Program Enrollment	Number of Participants	Number of Exits (percent of all participants)	Number of Successful Exits (percent of all exits)	Average Program Duration for Exited Participants
Alameda	June 2019	10	6 (60.0%)	3 (50.0%)	12 months
Butte	March 2017	66	35 (53.0%)	21 (60.0%)	10.9 months
Napa	April 2018	3	3 (100%)	2 (66.7%)	17.5 months
Nevada	May 2017	18	16 (88.9%)	9 (56.3%)	12.8 months
Santa Clara	October 2017	122	70 (57.4%)	55 (78.6%)	11.3 months
Total	n/a	219	130 (59.4%)	90 (69.2%)	12.9 months (average)

Note: Data in this table are as of December 1, 2020.

Impact of the TAY Programs on Youth in Juvenile Hall

Providing housing and programming for TAY participants in the juvenile facilities required TAY pilot counties to develop and implement policies and procedures to keep detained juveniles and incarcerated adults separate, in accordance with federal and state law. By operating a TAY program, counties' juvenile halls were considered "co-located facilities," meaning detained juveniles and adults are permitted to be on the same premises simultaneously. Co-located facilities must abide by both state and federal standards.

The federal Juvenile Justice Delinquency Prevention Act (JJDP A) prohibits sight or sound contact—defined in the law as "any physical, clear visual, or verbal contact that is not brief and inadvertent"—between detained juveniles and incarcerated adults.¹⁶ Similarly, California state law (Welfare and Institutions Code § 208) prohibits sight or sound contact between detained youth and adults and mandates that co-located facilities develop policies and procedures to maintain separation (WIC 207.1(f)).¹⁷ SB 1004 specifies that detained youth and adults must remain separate in all instances "including, but not limited to, housing, recreation, or education." The law also notes that the BSCC would review the pilot programs to ensure compliance with the JJDP A's sight and sound regulations.¹⁸ Therefore, it is important to understand whether there were any circumstances during which youth in the juvenile hall and the adults in the TAY program came into contact.

In order to explore the impact of the presence of the TAY program on the minors in the juvenile facilities, the Evident Change evaluation team reviewed information about the modifications each county made to their juvenile facility in order to appropriately house youth and TAY participants, reviewed reports of sight and sound incidents that occurred between juveniles and TAY participants in the facilities, and collected interview and survey data from TAY staff and stakeholders about the program's in-custody component.

The specific research question for this portion of this evaluation is: What is the extent, nature, and impact of any contact between juveniles and the young adults in the program?

Overall, TAY county representatives interviewed for the evaluation reported minimal, if any, impacts of the TAY program and participants on the youth in their respective juvenile facilities. This assessment is supported by a low number of sight and sound incident reports—consisting of minor, brief incidents that the BSCC does not consider in violation of JJDP A regulations—as well as survey data that reveal few negative impacts of housing TAY participants in the juvenile halls.

¹⁶ Juvenile Justice Delinquency and Prevention Act, [https://www.juvjustice.org/sites/default/files/resource-files/JJDP A%20Complete%20Act%20\(2018\).pdf](https://www.juvjustice.org/sites/default/files/resource-files/JJDP A%20Complete%20Act%20(2018).pdf)

¹⁷ WIC 208, http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=208.&lawCode=WIC; WIC 207.1(f), https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=207.1.&lawCode=WIC

¹⁸ SB 1004, https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1004

Facility Modifications to House Youth and Adults Separately

To prepare to house TAY participants, all counties developed policies and practices to specifically address participants' presence in the juvenile facility and how they would be kept separate from youth; counties submitted these policies to the BSCC for review. As part of counties' preparations for their TAY program's in-custody component, they made modifications to their facilities in three main areas: (1) architectural design; (2) time phasing (scheduling); and (3) staff communication. (Note: While Napa County prepared to house TAY participants in their juvenile facility, none of the county's three participants was placed in the facility as part of the program.)

Architectural Design

Regarding architectural design, all counties housed TAY participants in a self-contained unit or pod separate from youth residents, often located away from where youth were housed. For example, in Butte County, TAY participants were placed in an unused pod that was located adjacent to another unoccupied pod, thus increasing the physical distance of the adults from the juveniles. Alameda County followed a similar procedure of placing TAY participants in a self-contained unit on the opposite side of the facility from where juveniles were housed. In addition, all counties took other steps to modify the juvenile facility's architectural design, which consisted of (1) adding signage at the entrances and exits of all common areas in the facility—such as the central hallway or intake area—that reminded staff to radio central control for permission to enter a common area with residents; and (2) frosting windows or placing blinds or other coverings on windows to achieve sight separation in common areas.

Time Phasing

All facilities identified common areas that the juveniles and TAY participants would both use and developed programming schedules—also known as time phasing—for each group to use these areas at different times in order to maintain separation. Areas that were affected for time phasing typically included a facility's recreation, intake, and visitation areas; the medical unit; and the main hallway. Staff were trained on implementation of time phasing. Because the intake of TAY participants tended to occur on a scheduled basis, some counties aimed to schedule the majority of TAY intakes in the evening hours, when most programming had concluded for the day.

At least one county reported that in practice, intake did not remain a time-phased activity, as TAY participants tended to return to the facility at various times after being temporarily released to go to work or attend school; if an intake of a youth occurred at the same time that a TAY participant returned to the facility, the TAY participant would wait in the lobby while the minor's intake process was completed.

Staff Communication

Another strategy that counties employed to maintain sight and sound separation focused on consistent communication among facility staff, including using audio monitoring systems. All facilities developed and implemented policies for their central control team to monitor and supervise all movement from the units in order to ensure that juveniles and TAY participants were not in common areas at the same time. In each facility, all movement is expected to be communicated with central control, via radio transmission, before it is authorized and executed. This communication was designed to allow a juvenile or TAY participant to proceed to their destination without contact with an individual from the other population.

Sight and Sound Incidents

The participating facilities' policies and procedures for ensuring sight and sound separation provided a solid foundation for avoiding contact between youth and TAY participants. The BSCC received reports of a total of three sight and sound separation incidents during the evaluation period: Butte reported two incidents (one in August 2017 and another in May 2018), and Nevada reported one (in March 2018).

In the August 2017 Butte incident, a small group of TAY participants, accompanied by staff, was exiting the kitchen while other staff was escorting a small group of youth to the intake area. During this time, there was brief visual contact between the two groups while both were in the hallway. Staff directed the TAY participants to return to the kitchen to decrease any potential communication. After this incident, staff were reminded to keep a radio with them and to contact central control—via radio transmission—to receive clearance before exiting an area with TAY participants or youth.

In the May 2018 Butte incident, staff was escorting several TAY participants from their pod to the kitchen for dish crew at the same time that one youth was in the same hallway. The staff person directed the youth to return immediately to his pod; this youth later reported that he had seen the back of another person but did not know who the individual was. Following the incident, staff were reminded that when exiting or entering an area while accompanied by youth or TAY participants, they must wait until the hallway is clear and central control provides confirmation before proceeding.

In the Nevada incident, one youth and one TAY participant were briefly in a corridor at the same time while the youth was leaving the library in the intake area with a staff person and the participant was exiting the kitchen. While the TAY participant subsequently stated that he saw the youth, there was no verbal communication between the participant and the youth. After the incident, the institution management debriefed the incident with the staff involved and tested all radios in the facility to confirm they were functional.

The BSCC's standards and compliance officer reviewed the incident reports submitted for each incident. Regarding the Butte incidents, the BSCC staff determined that the incidents were accidental, brief, and without verbal contact between the youth and TAY

participants. Similarly, the Nevada incident was determined to be inadvertent, brief, and without verbal contact between youth and adults. Therefore, it was determined that none of the reported incidents violated the JJDPAs' sight and sound separation requirements and were not reported to the Office of Juvenile Justice and Delinquency Prevention.¹⁹

Perceptions of Impacts of TAY Participants in Juvenile Facilities

Data from interviews and surveys with TAY county representatives provided additional evidence that the presence of TAY participants in the juvenile facilities had minimal, if any, impacts on youth in the facilities. TAY county representatives for the four counties that implemented an in-custody component for the TAY program reported in interviews that the juveniles in the hall were aware of the TAY participants, due to various changes, such as alterations in programming schedules, the addition of window coverings, and hearing announcements when TAY participants moved through common areas; however, county representatives did not feel that these changes led to negative impacts on the youth in their facilities.

Survey respondents were asked if they were aware of any impacts related to maintaining sight and sound separation between TAY participants and juveniles in the juvenile hall. Nearly all (84.4%) reported that there were no impacts. "Due to our low census of juveniles, sight and sound separation was not an issue," one respondent stated. Another said, "No major impacts. Staff are more aware of the movement within the facility." Of the respondents who reported an impact, a few mentioned concerns related to communication and staffing. "It created a need to be vigilant at all times when doors were opened," one stated. Another said that it "required more upfront communication and work."

When survey respondents were asked about the negative impacts, if any, of having the TAY participants in the juvenile hall, the most frequent response was that there were none or they did not know of any, accounting for 38.3% of respondents. Of those respondents who did report negative impacts, two common response areas had to do with programming and with sight and sound separation issues.

Survey data indicate some challenges to the in-custody component, primarily related to staffing and programming; however, it is not clear from these data if either of these areas affected the youth in the facility. About one quarter of respondents (23.0%) reported that having a sufficient number of workers to appropriately staff the program in juvenile hall was a challenge, while slightly more respondents (27.1%) reported that locating appropriate community-based service providers to provide services to TAY participants while in custody was a challenge.

When asked about positive impacts, if any, of having the TAY participants in their county's juvenile hall, the majority of respondents (57.8%) described specific benefits to the TAY

¹⁹ The federal sight and sound standards do not require all noise or sound to be obscured in order to achieve sound separation between youth and adults. Ambient noise is permitted.

participants, such as having access to resources and support to pursue their education, obtain identification documents, and make progress in other areas; developing positive connections with juvenile hall staff; and being in a location that was separate from older adults. “Participants reconnected with family members, earned school credits, [and] applied for jobs,” observed one respondent.

One county representative described an unanticipated positive consequence of the TAY participants’ presence in juvenile hall. The TAY manager in one county reported that bringing the TAY program into the juvenile hall not only provided an opportunity to serve an older population, but it also contributed to a beneficial change for juveniles in the hall. “We recognized there were treatment providers in the community that can provide services to the juveniles that we never explored before,” the manager reported. “Providers were coming to the hall to serve TAY youth, and we realized they could serve juveniles too. . . . We started to change how we case manage our youth based on the TAY youth. . . . [This experience] provided an opportunity for us to talk about how we can be better case managers and provide services that may never have been provided before.”

Impact of the TAY Programs on Sentencing

While the qualitative data collected from TAY program staff provide some insight related to the sentencing of TAY-eligible individuals, the outcome data needed to comprehensively explore the evaluation question related to the program’s impact on sentencing, especially opportunities for community supervision, were not available in time to be included in this report. As indicated in this report’s Evaluation Design section, Evident Change will provide a follow-up report with these data to the BSCC by March 31, 2020.

Effectiveness of the TAY Programs

The outcome data needed to examine the evaluation question about the TAY program’s effectiveness, in areas including program completion, skill improvements, and recidivism and with respect to program participants and a comparison group, were not available in time to be included in this report. As indicated in this report’s Evaluation Design section, Evident Change will provide a follow-up report with these data to the BSCC by March 31, 2020.

Staff and Stakeholder Knowledge and Perception of TAY

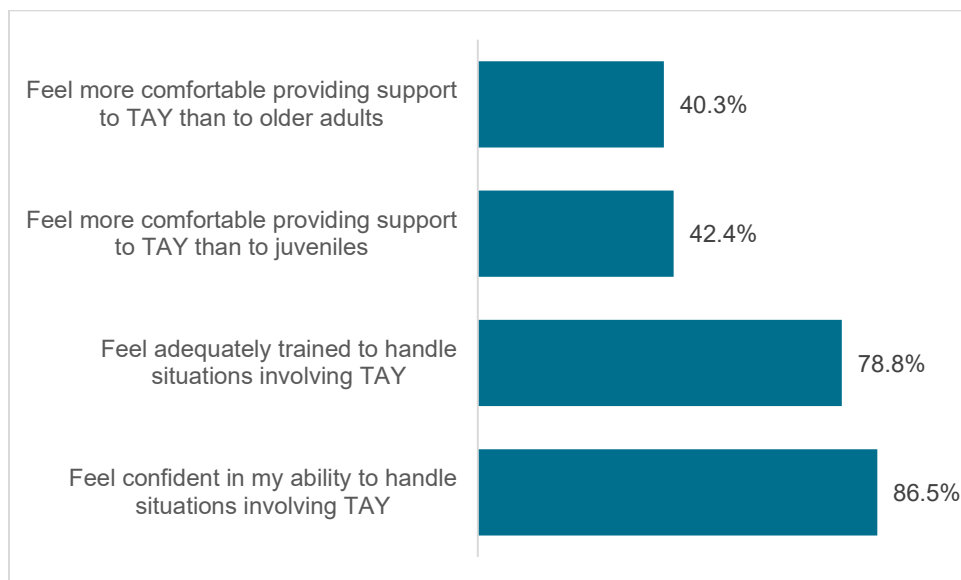
To examine TAY program staff and stakeholder knowledge and perceptions of the need for and application of the TAY pilot, the evaluation team adapted and incorporated

questions from the Juvenile Service–Oriented Practice Scale²⁰ and the Mental Health Attitude Survey for Police²¹ into the survey. A total of 52 people responded to the knowledge and perceptions section of the survey.

The survey results indicate that most respondents believed the TAY population is developmentally different from adults over the age of 24. They also felt that working with TAY should be an integral part of juvenile probation case management (82.7%); at the same time, a smaller percentage, although a majority, agreed (55.7%) when asked whether it should be an integral part of adult probation case management. This finding suggests that there are diverging perspectives among survey respondents on how best to address the needs of TAY between juvenile and adult probation caseloads.

While most respondents (78.8%) indicated that they believe staff have the skills and confidence to work with TAY (see Figure 1), most also indicated juvenile (94.4%) and adult probation staff (84.7%) should receive specialized training on working with TAY. However, when asked if TAY should be given the same considerations for court as juveniles, there was virtually no difference in percentage among Disagree (25.0%), Neither Agree nor Disagree (21.2%), Agree (25.0%), and Strongly Agree (21.2%).

Figure 1. Skills Related to Working With TAY



²⁰ Farrell, J., Young, D., & Taxman, F. (2011). Effects of organizational factors on use of juvenile supervision practices. *Criminal Justice and Behavior*, 38 (6), 565–583.

²¹ Clayfield, J. C., Fletcher, K. E., & Grudzinskas, Jr., A. J. (2011). Development and validation of the mental health attitude survey for police. *Community Mental Health Journal*, 47(6), 742–751.

Challenges and Successes of the TAY Programs

The counties participating in the TAY pilot experienced some obstacles across the trajectory of their TAY program, during program planning, start-up, and/or implementation. In some counties, gaining buy-in for the program from system partners was challenging. Challenges were also experienced in obtaining agreements across system partners about who was eligible and suitable for the program and/or in enrolling appropriate candidates; in some cases, this also included diverging from the intent stated in SB 1004. In addition, perceptions of the use of the juvenile hall component varied, as did establishing agreement about what successful program completion meant. Counties' responses to the COVID-19 pandemic also challenged both programmatic resources and program adherence.

Although counties faced various challenges in their TAY programs, the programs also experienced a variety of successes, both at the individual and program levels. These include the pro-social relationships that participants developed with program staff and the progress they made on personal goals related to education and employment as well as the overall intent of the program to dismiss successful participants' charges.

Determining Eligibility and Suitability of Potential Participants

Legislative Criteria

As described in the introduction to this report, the legislation establishing the TAY pilot program contained criteria regarding an individual's eligibility for the program, including a defendant's age (must be 18 to 20 years at the time the qualifying offense was committed; this was later increased to include young adults up to age 24 at the time of offense), type of offense (must be charged with a felony offense, other than a violent, serious, or sexual felony offense), and offense history (cannot have a prior conviction for a violent, serious, or sexual felony offense). In addition, the legislation specified that a potential participant should be considered suitable for the program based on a risk assessment and should demonstrate the ability to benefit from services typically delivered to juvenile offenders.

Determining Eligibility and Suitability in Practice

In general, the county district attorney or public defender identified potential candidates for the TAY programs, based on the statutory criteria, and referred them to the probation department for a suitability assessment. Other referral sources, though less common,

included social workers with the public defender's office, conflict attorneys,²² a probation department's court investigation unit, and word of mouth among people with previous juvenile or criminal justice system experience. Probation departments then assessed the referred individual's suitability for the TAY program and provided this information to the court. The suitability assessment typically included interviewing the candidate to give them more information about the program and to learn about their needs in such areas as education, employment, housing, mental health, and substance use, as well as conducting a risk assessment.

The interview data reveal some variation in how potential candidates became TAY participants. TAY representatives in a few counties reported that some individuals who were statutorily ineligible or deemed unsuitable by probation for the program were nonetheless ordered into the program by the court. One TAY county representative explained, "In some cases, the judge will order us to accept someone into the program even if we found them unsuitable but eligible." In addition, in another county, the probation department accepted all eligible candidates that the district attorney's office referred to them; suitability was determined while an individual participated in the program rather than before program enrollment.

Some counties experienced challenges with identifying a large pool of eligible candidates. For example, in one county, the district attorney or public defender would sometimes make a plea deal with an individual that would allow that person to become eligible for the program. Another county found that some potential candidates who were eligible based on their charges resided in a different county, making the program less attractive to them. In addition, at least one county had competing programs that did not involve custody time, which potential participants considered more appealing; however, these other programs did not allow for a participant's qualifying charge(s) to be dismissed upon successful program exit.

Survey data support information gleaned from the interviews, with challenges emerging related to program buy-in, eligibility, suitability, and enrollment. About one third (31.3%) of survey respondents reported that gaining support and buy-in for the program from system partners (such as judges, district attorneys, public defenders, probation) and other stakeholders was a challenge, which may be a contributing factor to the low enrollment experienced by some counties. More than half (55.1%) of respondents felt that reaching agreement among system partners about who was an eligible and suitable candidate for the program was a challenge, while about one third (34.7%) said that enrolling eligible and suitable candidates was a challenge.

²² Through the conflict attorney program, qualified attorneys represent indigent criminal defendants or minors when the public defender has a conflict of interest. The program maintains a panel of more than 100 private attorneys who provide representation for people entitled to court appointed attorneys. <https://www.acbanet.org/criminal-court-appointed-attorneys-program/>

Program Operations—Challenges and Successes

Once TAY programs began operating, some variations from the intent of the legislation emerged, as well as some operational challenges, including the advent of the COVID-19 pandemic in March 2020.

Interview data indicate some differences in how the juvenile hall component of the program operated. One county did not bring TAY participants into their juvenile facility; this program had low enrollment, and all participants were assessed as being low risk. As a result, the county shifted the program to allow eligible candidates to participate in only the community supervision portion of the program. In two other counties, the juvenile hall component was implemented even though some participants did not come into custody for various reasons (prior to the COVID-19 pandemic).

Another operational challenge highlighted by a few counties had to do with when a TAY participant was considered ready to successfully complete the program; for example, system partners sometimes held different views on this matter. In one county, some young adults were concurrently ordered by the court to participate in the TAY program and sentenced to probation. “Our concern is you can’t defer entry of judgment if you’re already sentencing [an individual]. . . . This goes against the spirit of the program,” stated a TAY representative in that county. Survey data support this finding; close to half of respondents (45.9%) reported that defining what successful TAY program completion or graduation consists of was a challenge.

The onset of the COVID-19 pandemic, with shelter-in-place orders implemented in the state in March 2020, posed considerable challenges for counties. In response to the pandemic, counties released TAY participants from custody and/or did not accept new referrals for the in-custody portion; courts were also limited in their ability to make referrals to the program. In interviews, TAY representatives described such challenges as a drop in engagement with clients due to shelter-in-place orders and the need to revise their program approaches to deliver services while maintaining social distance. For example, one county developed a “fresh air court,” held on the lawn in front of the courthouse, for staff to check in with TAY participants. Survey data show that two thirds (66.7%) of respondents reported that changes in service delivery due to the pandemic was a challenge, as were a reduction in referrals (reported by 58.3% of respondents) and changes in interactions between staff and program participants (52.1% of respondents).

Despite these challenges, interview and survey data suggest that overall, the TAY programs experienced a number of successes, both at the individual and program level. In interviews, TAY county representatives described the positive relationships that participants developed with TAY staff, the range of programming that participants had access to, and participants’ opportunity to have their charges dismissed as successful elements of the program (see text box below).

Similarly, nearly three quarters of survey respondents (73.4%) felt that providing an opportunity for TAY participants to develop pro-social relationships with TAY program staff (such as staff in juvenile hall, community supervision, and community-based

providers) was a successful aspect of the program. Large percentages of survey respondents also reported other areas of success, including that the program provided an opportunity for young adults to have their charges that led to TAY program involvement dismissed (70.8%) and to participate in juvenile justice services—as a result of their TAY-eligible offenses—instead of the adult criminal justice system (61.2%). Most respondents also reported that the program provided a developmentally appropriate approach—with a focus on adolescent brain development—to addressing the needs of the TAY population (60.5%).

What Has Been Most Successful About the TAY Program?

Quotes from interviews with TAY county representatives

The ability to reach a population at a level that otherwise would have been forgotten about. It's extremely important to understand the pre-frontal cortex and how that works. Providing the opportunity for kids to make a mistake and pay their price but to allow their record to be sealed and dismissed—this is extremely important.

We've really delivered on having a whole person approach and have been really successful on identifying needs and supporting young people on identifying their own goals and steps.

The employment and school opportunities. The relationships with the staff—line staff, POs, supervisors in juvenile hall. [The TAY probation officer] is far more engaged with TAY participants in the community than a typical juvenile PO.

The mostly young men—and a few women—who have been able to benefit from the program and having their record dismissed and sealed. When I think about the impact that has on them as an individual and their ability to participate in the community—in terms of voting, jobs, moving forward—I can't say enough about what a positive impact that has for a young person who made a mistake.

[Participants'] brain development and ability to take advantage of juvenile resources before they are immersed in the adult system—helping them create tools and not having a criminal conviction on their record—is a success.

The introduction of structure and positive role models and helping young people to figure out what their future could be, with our staff sitting down and working with them around triggers, goals, and potential problems.

It's been impressive for me to see the youth learn to speak up for themselves and advocate for their needs. This is a good skill for them to take throughout their life.

Recommendations

Qualitative research allows for capturing robust data related to the process of implementation and gathering information about individuals' experiences and attitudes in a social context.²³ Subsequently, the evaluation team conducted interviews and surveys with staff and stakeholders associated with each county's TAY program to understand their perspectives and recommendations related to the project.

Juvenile Hall Component

Most staff/stakeholders who participated in interviews or completed the survey recommended that the juvenile hall component include more individualized and structured programming. Specifically, they identified the need for work-related and vocational supports, reentry planning, stronger collaboration with community-based organizations, and mental health services and supports. In addition, respondents reported a need for specialized training for staff who work with the TAY population and a need to keep those trained staff in the pod or setting in which the TAY participants resided (as opposed to moving them to other settings within the facility, noting the difficulty related to COVID-19 responses).

When asked if the juvenile hall component should be retained as part of the program model, some indicated that it no longer was being used as part of the program due to the upcoming realignment of the Division of Juvenile Justice and/or COVID-19 responses, while others indicated it should remain and the length of time in juvenile hall for TAY participants be extended. A relatively small percentage of survey respondents—about one fifth (19.1%)—feel the juvenile hall component should be eliminated. Those who indicated it should continue or have the length of stay extended stated that the time in the juvenile hall provided program participants with a positive environment to learn and practice new pro-social habits and allowed for improved reentry planning.

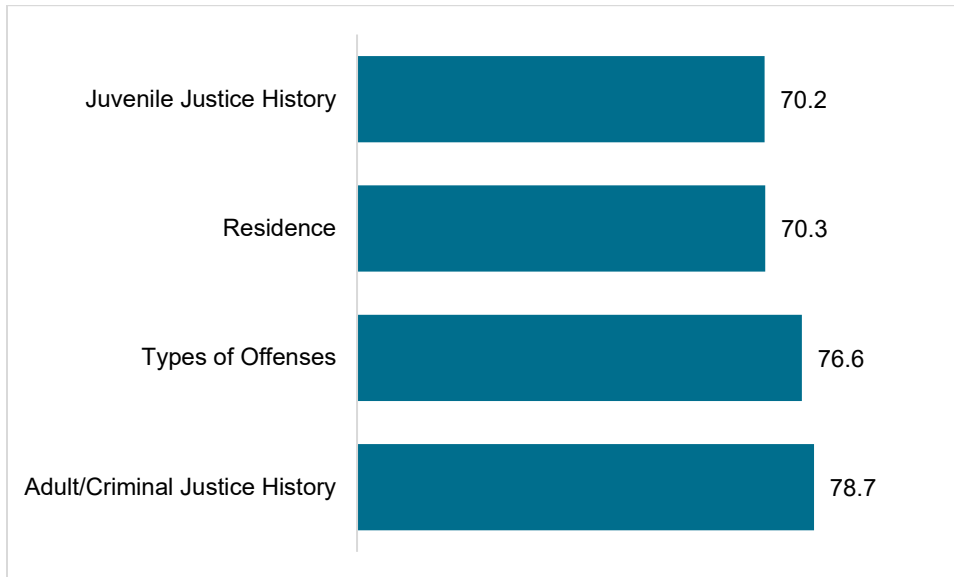
Program Eligibility and Suitability

TAY county representatives indicated that there were differing understandings among decision makers (e.g., probation, district attorneys, judges) about who is eligible or suitable for the program, with several indicating they would like probation to have a stronger influence on who should be enrolled. In the future, county representatives would like to see more people enrolled in TAY programs and have a common understanding and application among system partners of the eligibility criteria. For example, most survey respondents reported that they would like clarification about whether an individual's

²³ Thyer, B. (2012). The scientific value of qualitative research for social work. *Qualitative Social Work* 11(2), 115 – 129.

juvenile justice history (70.2% of respondents) or adult/criminal justice history (78.7%) are factors in determining program eligibility (see Figure 2).

Figure 2. Program Eligibility: Recommended Areas for Clarification



In interviews, some TAY county representatives indicated that the program’s eligibility criteria should be expanded to include misdemeanors, as did close to two thirds (61.7%) of survey respondents. In addition, some county representatives stated in interviews that potential participants’ offense history in neighboring counties (e.g., having a felony conviction in another county) should be considered when assessing program eligibility and suitability.

Future of TAY Programming

Across the board, interview and survey respondents indicated that they believed TAY programs should continue beyond the pilots. TAY county representatives believed that TAY programming was appropriate for now; in the future, however, they would like to see an increase in collaboration and communication among staff, system partners, community-based organizations, and other TAY counties with clear expectations and understanding among stakeholders such as the courts, district attorneys, and public defenders. In addition, survey respondents would like to see a clearer and more consistent definition of successful program completion, including when a TAY participant would be discharged from the program unsuccessfully. Similar to the juvenile hall–related responses, respondents expressed that a targeted effort to integrate mental health and vocational programming into TAY programs would benefit participants. Finally, almost

unanimously (91.5%), survey respondents indicated that the future of TAY programs should include funding to support the services that program participants need to be successful.

Conclusions

In order to support the BSCC's evaluation of the TAY program's impact and effectiveness and the submission of a comprehensive evaluation report to the Assembly and Senate Committees on Public Safety, the Evident Change evaluation team employed a mixed methods qualitative and quantitative evaluation designed to answer three primary (outlined by SB 1004) and four secondary questions related to the implementation of the TAY pilot programs. The quantitative portion of the evaluation design relied primarily on data collection from the California DOJ; the evaluation team received data from DOJ on December 10, 2020, and will analyze these data for a follow-up report to the BSCC (with an expected completion date of March 31, 2021).²⁴ However, some of the data collected during the qualitative interviews and surveys guided the evaluation team in the development of potential hypotheses for the questions that should be considered without the DOJ data analyses.

To conclude and summarize the overall evaluation to date, each of the research questions are addressed as follows.

Primary Evaluation Questions

1. What is the TAY program's impact on sentencing, especially opportunities for community supervision?

As noted in the methodology section, the primary approach for answering this question was contingent on collecting and analyzing data from DOJ. Subsequently, the evaluation team could not yet directly examine and provide a statistically significant response. However, in conducting interviews with stakeholders associated with one county's program, the evaluation team discovered that sentencing may be an important component of the decision making related to an individual (1) being identified as suitable for the program, (2) being found eligible for the program, and (3) choosing to enroll in the program or to opt out. In at least two counties, some people who were statutorily ineligible for the program were nonetheless ordered into it; in addition, in at least one county, potential participants chose between competing diversion programs, some of which appeared more appealing than the TAY program due to the lack of an in-custody requirement. Therefore, the examination of sentence impact may be a bit more nuanced

²⁴ As part of these analyses, based on available data, the evaluation team will explore information related to any potential impacts of AB 1390, which expanded the age for TAY program participation from 18 to 20 years at the time of the qualifying offense to also include young adults from 21 to 24 years.

than was originally intended by the legislation. An examination of this evaluation question using DOJ data should include limitations to the interpretation of the analytics due to local decision makers' discretion and include the social and political climate of the community during the time period for which the comparison sample is being identified.

This led the evaluation team to generate the following hypotheses related to this question: (1) the TAY program's impact on sentencing will have a larger impact in communities without other alternative diversion programs or opportunities than those with those options; and (2) the impact will vary by social and political dynamics present in the decision-making process for referring and enrolling individuals in a county's TAY program.

2. What is the impact of the presence of the program on the minors in the juvenile facility?

The data indicate that the presence of TAY participants had little to no impact on minors in the juvenile facility. Of the three sight and sound incidents that occurred during the pilot, none was determined to have violated the JJDP's sight and sound separation requirements. For those counties that utilized the juvenile facility component of the program, TAY county representatives indicated in interviews that while changes such as modifications to program schedules, the addition of window coverings, and hearing announcements made juveniles aware that TAY participants were in the facility, none of the county representatives believed these changes had negative impacts on the youth in those facilities. This information is also supported by survey data.

3. What is the program's effectiveness with respect to program participants and a comparison group?

The qualitative data suggest that, due to the discretionary practices of local petition and court decisions, the eligibility criteria specified by the legislation may be difficult to definitively operationalize between the TAY group and a comparison group. This will need to be a significant consideration for a thorough evaluation of effectiveness. Subsequently, the evaluation team included individuals who opted out of the TAY program as an additional group for data collection and analysis. As noted above, an analysis of the DOJ data will be included in the follow-up report. Therefore, the evaluation team at this point cannot provide a scientifically sound examination of this evaluation question.

Alternatively, the qualitative data collection has pointed toward some early signs of success of the program. Nearly three-quarters of survey respondents indicated that the program provided a positive environment or opportunity for TAY participants to develop pro-social relationships.

Secondary Evaluation Questions

4. How is the program structured?

5. How is the program implemented and operated?

Since each TAY program was tailored or designed to meet the unique needs of the participating county, the evaluation team chose to answer these two questions as a combined response. For example, while all programs originally included an in-custody component and a community supervision component, when it came to implementing the approach, some counties either did not implement an in-custody component or did not include an in-custody component for all participants. In addition, there was variation across counties in how the program was implemented and operated. Those areas include assessment of eligibility and suitability, program enrollment, program duration, and determination of successful program completion. While not completed for this evaluation report, these variations will need to be considered for any comparative and outcome analyses, and, if they cannot be controlled for in the data analytics, should be noted as limitations to the interpretation of results.

6. What challenges and successes did the program experience?

Two primary challenges identified were (1) implementing the juvenile hall component and (2) operationalizing successful versus unsuccessful discharge from the program. For the juvenile hall component, one county never utilized that component, and for at least two others, that component was used for some but not all participants, even prior to the COVID-19 pandemic, for various reasons. The onset of the pandemic introduced additional challenges for all programs operating an in-custody component. Related to program discharge, almost half (45.9%) of respondents indicated that defining successful completion was a challenge. On the other hand, the TAY programs also experienced a number of successes. In interviews, county TAY representatives described positive and successful elements of the program as including the beneficial relationships that participants developed with TAY staff, a range of programs and services participants had access to, and the opportunity to have their charge dismissed through program completion.

7. What are program staff's knowledge, perceptions, and recommendations related to improving TAY programs?

A vast majority of staff and stakeholders surveyed believed that the TAY population is developmentally different than adults over the age of 24, and that working with TAY should be an integral part of juvenile probation case management. They also believe that staff have the skills and confidence to work with TAY, and yet the vast majority believe more training on how to do so is necessary. Interestingly, as it relates to court options (one of the core principles of the TAY pilot), perceptions varied. When asked whether TAY should be given the same considerations for court as juveniles, there was virtually no difference in percentage between Disagree (25.0%), Neither Agree nor Disagree (21.2%), Agree (25.0%), and Strongly Agree (21.2%).

Generally, staff and stakeholders believed that the TAY pilot is a program that is worthy of the effort and provides positive services, supports, and opportunities for young adults. The perception of how the program should be implemented varied between those who were supportive of the juvenile facility component and those who were not. Although survey responses about the type of court options that TAY should receive varied, most

people interviewed and surveyed indicated the following: (1) the TAY program is beneficial to young adults in their community, (2) they would like to see some agreement and consistency in the operationalization of eligibility and suitability between stakeholders in the decision making for their community, (3) they would like to see a standard operationalization and agreement on the definitions of success and unsuccessful completions, and (4) funding for support and enhancement of the effort is necessary to move the project beyond a pilot status.

Appendix A: TAY Stakeholder and Staff Survey Tables

The survey analysis is based on 52 responses. About half (52.0%) of survey respondents reported that they work for the probation department, while about one fifth (19.2%) work for the district attorney’s office or public defender’s office and one sixth (15.4%) for community-based providers. The remainder of respondents represent agencies such as the court, county office of education, and county behavioral health services. In order to preserve anonymity, the respondent’s county was not collected.

Table A1. Attitudes About Working With TAY Participants

SURVEY ITEM	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
Working with TAY should be an integral part of <u>juvenile</u> probation case management.	0.0%	5.8%	11.5%	34.6%	48.1%	52
Working with TAY should be an integral part of <u>adult</u> probation case management.	3.8%	17.3%	23.1%	26.9%	28.8%	52
Working with TAY is not really part of a juvenile probation officer’s or juvenile hall staff person’s role.	51.9%	28.8%	11.5%	3.8%	3.8%	52
Working with TAY is not really part of an adult probation officer’s role.	34.6%	25.0%	23.1%	7.7%	9.6%	52
TAY are developmentally different than adults over the age of 24.	0%	3.8%	5.8%	44.2%	46.2%	52
TAY should be given the same considerations for court options as juveniles.	7.7%	25.0%	21.2%	25.0%	21.2%	52
TAY are no different than adults over the age of 24.	42.3%	46.2%	9.6%	1.9%	0%	52
Juvenile probation staff should receive specialized training to best assist TAY.	0%	3.8%	5.8%	40.4%	50.0%	52
Juvenile institutions staff should receive specialized training to best assist TAY.	0%	3.8%	3.8%	38.5%	53.8%	52
Adult probation staff should receive specialized training to best assist TAY.	0%	1.9%	13.5%	46.2%	38.5%	52
Adult corrections staff should receive specialized training to best assist TAY.	1.9%	3.8%	13.5%	42.3%	38.5%	52
I have a good understanding of who is eligible to participate in my county’s TAY program.	0%	3.8%	13.5%	44.2%	38.5%	52
I have a good understanding of who is suitable to participate in my county’s TAY program.	0%	7.7%	15.4%	34.6%	42.3%	52

Table A2. Skills Related to Working With TAY Participants

SURVEY ITEM	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	N/A	n
I feel that I am adequately trained to handle situations involving TAY.	1.9%	3.8%	11.5%	42.3%	36.5%	3.8%	52
I feel confident in my ability to handle situations involving TAY.	0%	0%	9.6%	42.3%	44.2%	3.8%	52
I feel more comfortable providing case management, supervision, and/or support to TAY than to juveniles.	1.9%	17.3%	30.8%	21.2%	21.2%	7.7%	52
I feel more comfortable providing case management, supervision, and/or support to TAY than to adults over the age of 24.	3.8%	9.6%	36.5%	11.5%	28.8%	9.6%	52

Table A3. TAY Program Challenges Related to Eligibility, Suitability, and Enrollment

SURVEY ITEM	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
There was agreement among system partners about who was eligible for the TAY program.	1.9%	21.2%	25.0%	40.4%	11.5%	52
There was agreement among system partners about who was suitable for the TAY program.	5.8%	23.1%	28.8%	32.7%	9.6%	52
The referral and screening processes identified the most appropriate candidates for the TAY program.	1.9%	26.9%	23.1%	38.5%	9.6%	52
Other programs in our community are more appropriate for individuals referred to the TAY program.	7.7%	46.2%	36.5%	7.7%	1.9%	52
Other programs in our county are more attractive to individuals referred to the TAY program.	7.7%	40.4%	38.5%	11.5%	1.9%	52
Lack of agreement among system partners about which individuals are eligible for the program was a challenge.	4.2%	29.2%	29.2%	27.1%	10.4%	48
Lack of agreement among system partners about which individuals are suitable for the program was a challenge.	4.2%	18.8%	33.3%	31.3%	12.5%	48
Lack of agreement among system partners about which individuals should enroll in the program was a challenge.	2.1%	29.2%	39.6%	18.8%	10.4%	48
Identifying eligible and suitable candidates for the program was a challenge.	4.1%	24.5%	30.6%	34.7%	6.1%	49
Enrolling eligible and suitable candidates in the program was a challenge.	2.0%	32.7%	30.6%	30.6%	4.1%	49
Agreeing among system partners about who is an eligible and suitable candidate for the program was a challenge.	0%	14.3%	30.6%	42.9%	12.2%	49

Table A4. TAY Program Challenges Related to Program Buy-In, Staffing, Service Provision, and Impacts of COVID-19

SURVEY ITEM	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
Gaining support/buy-in for the program from system partners and/or other stakeholders was a challenge.	4.2%	20.8%	43.8%	29.2%	2.1%	48
Recruiting staff (facilities, field services, etc.) to work with TAY participants was a challenge.	10.4%	35.4%	31.3%	14.6%	8.3%	48
Locating appropriate community-based service providers for the program to provide services to TAY participants in-custody was a challenge.	8.3%	37.5%	27.1%	16.7%	10.4%	48
Locating appropriate community-based service providers for the program to provide services to TAY participants in the community was a challenge.	8.3%	39.6%	25.0%	16.7%	10.4%	48
Having a sufficient number of staff to appropriately staff the program in juvenile hall was a challenge.	16.7%	25.0%	35.4%	18.8%	4.2%	48
Having a sufficient number of staff to appropriately staff the program in field services/community supervision was a challenge.	18.8%	22.9%	31.3%	22.9%	4.2%	48
Having sufficient community resources/ providers to provide services to TAY participants in juvenile hall was a challenge.	12.5%	29.2%	33.3%	18.8%	6.3%	48
Having sufficient community resources/ providers to provide services to TAY participants in community supervision was a challenge.	6.3%	41.7%	27.1%	18.8%	6.3%	48
Having sufficient opportunities for communication and collaboration among juvenile hall staff and field services/ community supervision staff was a challenge.	8.3%	33.3%	31.3%	18.8%	8.3%	48
Having sufficient opportunities for communication and collaboration among TAY probation staff and other system partners was a challenge.	12.2%	34.7%	22.4%	24.5%	6.1%	49
Having regular convenings of the TAY multidisciplinary team (e.g., the team established for this program) to review	12.2%	22.4%	32.7%	28.6%	4.1%	49

SURVEY ITEM	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
and discuss the program's implementation, practices, and impact was a challenge.						
Defining what successful TAY program completion or graduation consists of was a challenge.	6.3%	27.1%	20.8%	31.3%	14.6%	48
Impacts of COVID-19: Reduction in referrals to the TAY program was a challenge.	0%	8.3%	33.3%	25.0%	33.3%	48
Impacts of COVID-19: Change in interaction/ engagement between TAY staff and participants was a challenge.	2.1%	8.3%	37.5%	20.8%	31.3%	48
Impacts of COVID-19: Change in delivery of services to TAY participants was a challenge.	0%	4.2%	29.2%	22.9%	43.8%	48

Table A5. TAY Program Successes

SURVEY ITEM	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
Providing a developmentally appropriate approach—with a focus on adolescent brain development—to addressing the needs of TAY was successful.	2.1%	6.3%	31.3%	43.8%	16.7%	48
Providing an opportunity for young adults to participate in juvenile justice services—as a result of their TAY-eligible offense(s)—instead of the adult criminal justice system was successful.	0%	8.2%	30.6%	46.9%	14.3%	49
Providing an opportunity for young adults to have their charge(s) that led to TAY program involvement dismissed was successful.	0%	0%	29.2%	47.9%	22.9%	48
Providing an opportunity for participants to develop pro-social relationships with TAY program staff was successful.	0%	4.1%	22.4%	36.7%	36.7%	49

Table A6. Recommended Changes in Legislative Rules or Policies Governing TAY Programs

SURVEY ITEM	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
Changes/Improvements: Clarification of Program Eligibility						
Clarify which offenses make an individual eligible for the program.	0.0%	8.5%	14.9%	55.3%	21.3%	47
Clarify whether having a juvenile justice history is a factor for eligibility.	4.3%	19.1%	6.4%	44.7%	25.5%	47
Clarify whether having an adult/criminal justice history is a factor for eligibility.	2.1%	10.6%	8.5%	55.3%	23.4%	47
Clarify whether an individual must reside in a county with a TAY program.	4.3%	8.5%	17.0%	42.6%	27.7%	47
Program eligibility should be expanded to include misdemeanors.	12.8%	14.9%	10.6%	38.3%	23.4%	47
Other Changes or Improvements						
It should be more feasible for counties to maintain sight and sound separation between juveniles and young adults.	0%	6.5%	34.8%	37.0%	21.7%	46
The juvenile hall component of the program model should be eliminated.	42.6%	10.6%	27.7%	8.5%	10.6%	47
Standardized program policies, procedures, and expectations should be provided for counties to follow.	4.3%	8.5%	38.3%	27.7%	21.3%	47
All counties should be mandated to participate in TAY programs.	10.6%	10.6%	29.8%	25.5%	23.4%	47
All eligible young adults (regardless of county of residence) should be provided with an opportunity to have their charges dismissed through participation in a TAY program.	6.4%	12.8%	21.3%	36.2%	23.4%	47
Counties should be provided with funding/resources to operate TAY programs.	0%	2.1%	6.4%	25.5%	66.0%	47

Table A7. Suggested Changes or Improvements for Local TAY Programs or Approaches

SURVEY ITEM	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	n
Eligibility for TAY should be evaluated at the time of arrest and booking rather than later in the legal process.	8.5%	17.0%	17.0%	46.8%	10.6%	47
The roles of system partners (e.g., judges, DAs, public defenders, probation) in the program should be clarified.	4.3%	2.1%	36.2%	42.6%	14.9%	47
Standardized procedures and policies should be developed and implemented for the program at the local level.	2.1%	8.5%	21.3%	51.1%	17.0%	47
Family involvement should be included as a program component.	0.0%	8.5%	23.4%	40.4%	27.7%	47

Appendix B: TAY Program Descriptions

Brief descriptions of each county's TAY program follow.

Note: In general, the in-custody program components described below were paused, shortened, and/or eliminated in response to the onset of the COVID-19 pandemic and the issuance of stay-at-home orders in participating counties beginning in March 2020. Some programs pivoted to providing services virtually and/or using physical distancing strategies rather than in custody. In September and October 2020, program representatives were interviewed, and most indicated that their county was beginning to decide whether or how to restart the in-custody component of their TAY program.

Alameda County

In addition to probation, the county behavioral health services department, which maintains an onsite clinic at the juvenile facility, was a primary program partner. Behavioral health clinic staff collaborated with probation to support the TAY program and extend the agency's provision of facility-based therapeutic services to the TAY population.

Assessment of Program Eligibility and Suitability

Program eligibility was assessed based on the specified statutory criteria and a criminal record check. If the police report for the offense that made an individual eligible for the program indicated a connection to other criminal activity that was more sophisticated than the presenting offense, this involvement would preclude program acceptance.

A behavioral health clinician conducted a suitability screening that assessed the young adult's level of motivation to participate in the program, mental health needs, housing status, employment, education, physical health, and goals they hoped to achieve in the program. An individual who presented with a high level of mental health need might be referred to the county's behavioral health court as the TAY program was not designed to meet that level of need.

Programming and Services

The program consisted of three phases. Phase 1 was conducted in custody and Phases 2 and 3 were all or primarily in the community.

In Custody—Phase 1

Phase 1, which lasted 30 to 45 days, was conducted in custody in the juvenile hall; however, there were a few exceptions to participating in the in-custody component. Phase

1 began with a review of the participant's general assessment and program orientation plan, connecting the participant with mental health and medical services as needed, and assessing their criminogenic needs using the COMPAS assessment. A multidisciplinary team (MDT) of staff from probation and behavioral health partnered with the participant to develop a case plan designed to address identified risk and needs and establish timeframes for achieving plan strategies and goals. The participant would attend in-custody programming, including cognitive behavioral therapy (CBT) groups and workshops on reentry job search, financial literacy, conflict resolution, and other topics. Some participants temporarily left the facility to attend school or seek employment. In-custody programming was facilitated by probation and behavioral health staff and by community-based providers such as Community Works West and Fresh Lifelines for Youth.

A participant's success in Phase 1 was defined as getting connected with school or work and/or participating in in-custody programming, writing in an interactive journal, and developing a case plan. In addition, each participant made a presentation to the juvenile institution officers, TAY division director, and TAY behavioral health clinician to identify their needs and discuss what they needed for success in Phase 2. An MDT meeting was then convened to determine the participant's readiness to move to Phase 2; if a participant was not considered ready, the MDT discussed additional strategies or achievements needed.

Community Supervision—Phases 2 and 3

Phase 2 had a duration of six to eight months and was generally conducted in the community; however, a participant could continue to reside at juvenile hall based on individual circumstance (e.g., housing stability). Participants continued to attend school or work, attend CBT groups and workshops on various topics (as in Phase 1), and work on their interactive journals. The TAY probation officer met regularly with participants to track their progress and update their case plans. Success in this phase consisted of a participant's completion of activities or goals outlined in their case plan.

The final stage of the program, Phase 3, took place in the community and lasted about two to three months. Participants were expected to attend CBT groups monthly and continue working on their interactive journals. Workshops required during Phases 1 and 2 continued to be available although attendance was not mandated. To be successful in this phase, a participant was expected to meet with the TAY probation officer monthly, maintain a stable living situation, have positive prosocial connections, and continue school or work.

In all, the expected duration of the entire program was about 12 months.

Program Completion

Once probation determined that a participant was functioning independently in the community and was ready to exit the program, probation submitted a discharge summary

report to the court. This report outlined the participant's progress in the program, recommended continuum of care following program exit, and provided a recommendation of successful completion of the program.

Butte County

Assessment of Program Eligibility and Suitability

The district attorney, public defender, and probation court investigations unit identified eligible candidates and referred them to probation's TAY program staff to assess an individual's suitability for the program. The suitability assessment, facilitated by the TAY probation officer, included meeting with the candidate to review the program requirements and conduct a static risk assessment, as well as interviewing the potential participant to assess their needs related to housing, schooling, employment, and treatment (such as substance use or anger management).

Programming and Services

The program consisted of three steps. Steps 1 and 2 were conducted in custody, and Step 3 occurred in the community.

In Custody—Steps 1 and 2

Step 1, with a duration of approximately 30 days, started by providing participants with an orientation to the program, conducting the Noble risk and needs assessment, and developing a case plan. Participants met with a representative from the Butte County Office of Education to discuss their needs and goals related to schooling; they also met with representatives of mental health or medical care services as needed. The length of time spent in this step was based on the needs outlined in an individual's case plan and the progress made on those needs.

During Step 2, participants began in-custody programming such as CBT to address substance use and anger issues, parenting classes (for participants who are parents), individual and group counseling, and educational and vocational programs. In-custody programming was provided by the Butte County Office of Education and community-based organizations including Northern Valley Catholic Social Services, Tri County Treatment, and Victor Community Social Services. In addition, some participants temporarily left the facility to go to work, attend school, or do supervised community service. The duration of Step 2 was about 60 days.

A team that included the TAY probation officer, the juvenile hall superintendent, the juvenile hall supervisor, and the community-based provider that offered treatment in the juvenile facility would collaboratively evaluate a participant's readiness to move from Step

1 to Step 2. This team would also assess a participant's readiness to advance from Step 2 to Step 3.

Community Supervision—Step 3

Step 3 was the program's community supervision component and was designed to occur outside the facility. In this step, participants worked on activities designed to facilitate successful community reentry, including educational goals, vocational training, internships, job searches, family reunification, and locating housing. Services in the community were provided by county agencies, including Butte County Behavioral Health, and community-based organizations such as the Alliance for Workforce Development, Salvation Army, Victor Community Social Services, and transitional housing providers. Participants also developed a program exit plan and continued to participate as appropriate in programming and services that were offered during Step 2. Step 3, which included electronic monitoring as well as support provided by the TAY probation officer at least once a week, lasted approximately nine months.

In all, a participant's time in the entire program was expected to last about 12 months.

Program Completion

To assess whether a participant was prepared to successfully exit the program, the TAY probation staff reviewed several areas starting at about the tenth month of participation. This included evaluating whether the participant had completed all required programming, had an exit plan that included stable housing, and had a job or was attending school. In addition, staff assessed a participant's overall readiness for program exit, including their demonstrated level of individual responsibility.

Napa County

Assessment of Program Eligibility and Suitability

Program eligibility was based on the specified statutory criteria and was determined by the public defender and the probation department. The probation department then evaluated a potential participant's suitability for the program based on their prior record, assessment results from the Level of Service/Case Management Inventory (LS/CMI), and willingness to participate in the program.

Programming and Services

The TAY program was originally intended to be a three-phase program with in-custody and community supervision components. Under this design, Phases 1 and 2 would occur

in custody, with a total duration of three to six months. Phase 1 would consist of assessment, case plan development, and orientation. During Phase 2, youth would engage in in-custody programming such as CBT groups, educational services, and therapeutic services. After completing this phase, participants would transition to the community for Phase 3, consisting of community supervision.

In July 2019, approximately two years after program start-up, the probation department amended its contract with the BSCC to eliminate the in-custody component and conduct the program entirely in the community. This shift was due to eligible participants' risk levels: All were assessed as low risk and would not have been remanded into custody otherwise. In the amended program, participants began with assessment, orientation, and development of a treatment plan, followed by participation in CBT programming provided by the probation department. Participants also engaged in community-based services, as needed, in areas such as mental health, housing, employment, and education. Participants were expected to meet with the TAY probation officer at least once a month and to remain in the program for 12 months.

Program Completion

To be successful in the program under community supervision, a participant was required to comply with probation terms and conditions, participate in CBT groups, follow up on referrals received from probation, and not have any new arrests. A participant who met these guidelines after being in the program for 12 months would successfully exit the program; if not, they would remain in the program to complete these requirements.

Nevada County

Assessment of Program Eligibility and Suitability

Eligible youth were referred to the probation department by the district attorney and accepted into the program by probation. Suitability for the program was not fully evaluated prior to program entry; instead, the TAY probation officer evaluated a participant's suitability based on the results of their risk assessment on the Correctional Assessment and Intervention System (CAIS) as well as, during the community supervision component, their compliance with court-ordered terms and conditions, compliance with participating in treatment, and having no new law violations.

Programming and Services

There were no standard phases or steps in the county's TAY program. Individual treatment plans were tailored to the participant's specific identified needs with a total program duration of up to 18 months. This included a determination of whether an

individual would participate in the program's in-custody component: Some participants received time in custody up front as part of the program requirements while others did not.

Programming available to participants in custody and in the community included CBT, vocational training, and services in such areas as education, behavioral health, and parenting. Life skills, yoga, journaling, and arts activities were also offered. While in custody, participants could temporarily leave the facility for activities such as attending substance use treatment, submitting job applications, buying interview clothes, and going to job training or work.

During community supervision, the frequency with which a participant met with the TAY probation officer was based on their risk level. Participants assessed as high risk were expected to meet with the TAY probation officer four times a month; moderate risk, twice a month; and low risk, once a month. County agencies that provided services to TAY participants in custody and/or in the community included the Nevada County Office of Education. Community-based organizations that provided services included Alliance for Workforce Development, Common Goals, Community Recovery Resources/Granite Wellness Center, Sierra Youth Build, and Victor Community Social Services.

Program Completion

A participant successfully exited the program after 12 months if they did not have any new arrests. If a participant had a new arrest during program participation, they remained in the program for up to an additional six months. All participants exited the program after 18 months regardless of whether they were successful.

Santa Clara County

Santa Clara County's TAY program was known as the Young Adult—Deferred Entry of Judgment (YA-DEJ) program.

Assessment of Program Eligibility and Suitability

The district attorney determined statutory eligibility at the charging phase. A defendant interested in participating in YA-DEJ was referred to probation for a suitability assessment. Following that assessment, a report and opinion was submitted to the court, and the judge made a final determination regarding entry into the program.

Programming and Services

The YA-DEJ program consisted of two phases—one in custody, and one in the community.

In Custody—Phase 1

The in-custody phase began with a comprehensive review of the participant's needs related to education, employment, housing, and community support, conducted using the CAIS tool, and development of a treatment plan to address the identified needs. Programming provided during the in-custody component included legal education and civic engagement, educational services, counseling services, vocational training, and job readiness services. Other activities such as yoga, life skills, writing workshops, debate club, gardening, cooking, and small engine repair were also offered. Some participants also engaged in activities in the community, such as participating in job training, attending job fairs, or going to the Department of Motor Vehicles to obtain their driver's license.

The probation department worked with many county agencies and community-based organizations to provide services to YA-DEJ participants while in custody and/or during community supervision, including the county Office of Education, Fresh Lifelines for Youth, The Beat Within, Catholic Charities of Santa Clara County, Center for Employment Opportunities, Work to Future, Young Women's Freedom Center, and Bill Wilson Center.

The length of the in-custody component generally ranged from 30 to 60 days.

To move from Phase 1 to Phase 2 (the community supervision component), a participant was expected to complete a minimum of 30 days in custody. As part of advancing from Phase 1 to 2, the participant and YA-DEJ probation officer discussed the participant's housing options out of custody and strategies to develop a stable living environment. In addition, an MDT meeting that included the YA-DEJ probation officer, YA-DEJ participant, and juvenile hall staff was convened to discuss the participant's progress in custody and their transition plan for the community component.

Community Supervision—Phase 2

Phase 2 consisted of the program's community supervision component. During this component, participants engaged in services such as case management and coaching, counseling, education, job training, and job search assistance. While in the community, a participant was expected to meet with their YA-DEJ probation officer about two to three times per month. A participant's time in this component generally ranged from six to nine months.

In all, a participant's expected length of time in the program was approximately 12 months or less.

Program Completion

In order to successfully complete the YA-DEJ program, a participant was expected to complete all terms of their court orders and their YA-DEJ case plan.