

## STAY FLY CASE STUDY: CAUGHT BETWEEN TWO SYSTEMS

Fresh Lifelines for Youth, January 2021

### Introduction

FLY envisions a country where **all** kids grow up valued and supported, and the pipeline to prison is replaced with meaningful opportunities for kids to live free, healthy, and productive lives that make stronger, safer, and more vibrant communities for us all. FLY has been working with youth in the San Francisco Bay Area for more than 20 years. For most of this time, FLY's programs have focused on youth ages 18 and younger but our programs have also engaged youth in informal ways up to the age of 25.

*We now believe that in order to operationalize the vision of a more rehabilitative juvenile justice system, and to remain in alignment with brain science, we must “raise the age” of our services to include youth up to the age of 25. Only then can we holistically address the damage our current systems have inflicted upon our communities.*

One of the ways FLY has advocated for raising the eligibility age for youth services and advanced more inclusive justice system programs is our program pilot, STAY FLY. FLY launched this project in partnership with a local foundation partner, Tipping Point Community, to explore how FLY could come alongside Senate Bill 1004. SB1004 was a five-county state pilot designed to move eligible youth ages 18-21 from adult facilities and into juvenile ones. At the same time, it would create opportunities for them to erase the charges from their records upon successful completion of a probation program. Using a human-centered design approach, FLY and Tipping Point Community spent a year designing the program alongside youth and system partners.

Today FLY is operating the pilot in Alameda and Santa Clara Counties with financial support from local and state governments. Throughout the entire process, FLY has been culling lessons from supporting this population that can contribute to California's juvenile justice field and evolving juvenile justice realignment efforts.

**This paper offers five recommendations to improve justice system practices related to transition-aged youth (TAY) ages 18 to 25, and demonstrates how these practices can be employed in a way that positively impacts justice-involved TAY and their communities.**

## **THE CHALLENGE: Punitive systems destroy the potential of low-income young people**

When young people ages 18 to 25 commit a crime, they are charged and tried as adults. In the state of California, more than half of young adults in this age range who are incarcerated are convicted of another crime within three years. These statistics disproportionately represent Latinx, African American, and Native American people living in poverty.

*"Youth with fewer resources, however, face additional challenges and often find the consequences of their mistakes, miscalculations, and misfortunes compounded when they also lose access to their existing support systems. These young people—who are disproportionately Black and other youth of color—find themselves at high risk of involvement in a system that typically does not make accommodations for developmental characteristics: the criminal justice system." (Lindell & Goodjoint, 2020).*

Even upon reentry after incarceration, low-income young adults struggle more to find housing, complete their high-school education, obtain marketable skills, secure steady employment, and achieve self-sufficiency.

Scientific evidence explains why this age group struggles: While the justice system considers 18- to 25-year-olds adults, neuroscience shows that the parts of the brain controlling decision making and risky behaviors do not fully develop until the mid-20s. The Supreme Court has even acknowledged this: "...[t]he qualities that distinguish juveniles from adults do not disappear when an individual turns 18" (Roper v. Simmons, 2005).

Given this gap, behavioral scientists and justice reform experts point to the need for a collaborative, restorative model of rehabilitation for these transition-aged youth (TAY) – an alternative to incarceration that addresses the unique needs of young adults that focuses on education and healing.

## THE PROCESS: A science-informed, youth-centered, and collaborative alternative to incarceration

With the invitation to participate in the SB1004 DEJ pilot, FLY leveraged a science-informed perspective and years of youth-focused, community-centered programming experience to develop and roll out a pilot service called STAY FLY, which started as a 14-week micro pilot in 2019. The program design process emphasized earning trust through continual feedback loops and sharing learnings with youth and system stakeholders. Specifically, FLY’s approach was iterative, youth-led, and participatory and built on community-based and human-centered design best practices:

STAY FLY

Fresh Lifelines for Youth's approach was built on community-based and human-centered design best practices.

ITERATIVE	YOUTH-CENTERED	PARTICIPATORY
<p>STAY FLY was developed over the course of 14 months. The process involved qualitative contextual research, a feedback phase on low-fidelity program design ideas, and a testing phase where young adults, court stakeholders, and community partners all participated in a program.</p>	<p>Program development invited current and former justice-involved young adults into the research and design process to support defining research conclusions, provide feedback on the program direction, and make decisions about the curriculum content.</p>	<p>The STAY FLY design team sought and incorporated expertise from juvenile justice experts and court system stakeholders throughout the development process to ensure the end result would be able to integrate into the current service provision ecosystem.</p>

## THE ROADMAP: A research informed, needs-based roadmap for supporting young adults in transition

The research phase set a foundation of principles that informed how the team engaged youth in the program development process and inspired a set of best practices for how local juvenile and adult justice systems can address the needs of transition-aged youth. A summary of young adult needs and program and system actions can be found below:

# STAY FLY ROADMAP

The research phase that drove the development of STAY FLY informed a roadmap to develop STAY FLY and build a justice system that better supports the needs of transition-aged youth.

	<b>TRUST &amp; TRANSPARENCY</b>	<b>NUANCED NARRATIVES</b>	<b>EMOTIONAL DEVELOPMENT</b>	<b>VOICE</b>
<b>YOUNG ADULTS NEED</b>	To know what to expect in the face of uncertainty	To feel seen & have their lived experience acknowledged & engaged	Safe outlets to express their emotions	To feel like their contributions add value
<b>SYSTEM CAN TAKE ACTION BY...</b>	Help build trust by providing orientation & transparency around programming	Validate youths' experience by accounting for the societal challenges that impact their day-to-day lives	Create moments of reflection & introduce social-emotional learning tools	Encourage young people to contribute in tangible & substantial ways
	<b>COMMUNITY</b>	<b>CONTINUOUS LEARNING</b>	<b>SMOOTH HANDOFFS</b>	<b>AUTONOMY</b>
<b>YOUNG ADULTS NEED</b>	To feel like they belong	Time to practice & reinforce new behaviors	Consistency as they transition between programs	To build autonomy so they are able to thrive on their own
<b>SYSTEM CAN TAKE ACTION BY...</b>	Build broader communities of support to help develop identity & create accountability	Create opportunities beyond the classroom to apply knowledge in the real world	Communicate across support services & prepare TAY with the resources to succeed.	Shift TAY from depending on external resources to identifying and accessing them on their own

FLY used these principles as a foundation to develop STAY FLY, which consisted of a workshop-based program teaching social-emotional learning skills and an understanding of the law with youth participating in the SB 1004 program. Topics included navigating police encounters, learning about property crime laws, and understanding sex crimes and consent. Based on feedback from earlier prototypes, the final program included several elements that the design team believed would lead to the best outcomes:

- Experiences that nurture executive functioning skills through social-emotional learning skill development

- Facilitation that is responsive to temperament, learning style, motivation, gender, and culture
- Attention to resolving external and internal stressors while nurturing pro-social values and skills

All of these components amounted to a comprehensive reentry program to support the success of TAY in SB 1004 and serve as a valuable reference for future programs that seek to provide an alternative to incarceration for justice involved transition-aged youth.

## **THE LEARNINGS: Challenges and opportunities that emerged from the micro pilot**

STAY FLY yielded important learnings that future programs can build upon. It was designed to promote social-emotional learning skills and understanding of the law that would drive long term outcomes including reduced recidivism and increased educational and professional attainment. The STAY FLY design team not only saw positive youth outcomes during the initial 14-week micro pilot but also received enthusiasm from system partners and increased support to scale the initiative. The learnings reflected below were developed in collaboration with the Santa Clara County Probation Department Staff and are for policy makers and program designers of similar initiatives in the future.

1. **Social-emotional learning skills** pave the way for the personal growth necessary to stay out of the justice system
2. **Creating conditions for meaningful collaboration** between system partners and CBOs increases enthusiasm and commitment to achieving the goal
3. **Centering the youth's protective factors** sets the youth up for greater success
4. **Barriers to eligibility and participation** limit access to restorative services
5. **Youth-centered program design** with participation from all system stakeholders builds momentum for justice reform

### ***1. Social-emotional learning skills pave the way for the personal growth necessary to stay out of the justice system***

The project team saw gains across four SEL skill focus areas for program participants. Not only did facilitator assessments show skill gains between the first and last workshops, student self-assessments and qualitative feedback also corroborated skills development. Participants who experienced from 6-14 contact hours with FLY staff saw an 8% average increase in SEL

indicators; these gains are consistent with FLY’s validated performance data on other programs. This gave the team confidence in STAY FLY’s ability to develop SEL skills. Gains were seen across the following themes:

<h1>STAY FLY GAINS</h1> <p>Gains in social-emotional skills were seen across the following themes, paired with quotes from the participating youth</p>		
INCREASED SELF-AWARENESS & SOCIAL AWARENESS	INCREASED AGENCY & SELF-CONFIDENCE	INCREASED AWARENESS OF THE LAW & LEGAL CONSEQUENCES
<p>"I'm trying to hear people out more. I get in arguments with my family...like everyone does...I try and hear them out before I immediately get angry."</p>	<p>"I am a lot more aware of things going on in the world. Like voting...Now I would probably vote. Next time there's a chance."</p>	<p>"If I'm about to break the law, I think again. I think how I could use my time in a different way. Like stay home or hang out somewhere else."</p>

***2. Creating conditions for meaningful collaboration between system partners and CBOs increases enthusiasm and commitment to achieving the goal***

In addition to positive indicators for youth outcomes, the micro pilot generated learnings around effective systems collaboration and program implementation. Building on a trusted relationship between FLY and the Santa Clara County Probation Department, FLY was invited to join internal probation team meetings to advocate for TAY while probation officers attended select out of custody workshops. These steps helped FLY and justice system officials come across as a single team and created a more coordinated reentry experience for participants.

Furthermore the case management FLY contributed to the youth reentry experience set the stage for coordination with other community services and fewer gaps in the continuity of care that is so common for at-risk youth in this transitional time period. The following themes emerged from implementing STAY FLY:

# STAY FLY IMPLEMENTATION THEMES

These themes emerged from implementing STAY FLY, paired with quotes from our collaborators

SYSTEM STAKEHOLDERS DESIRED FURTHER COLLABORATION WITH COMMUNITY PARTNERS	COMMUNITY-BASED SUPPORTS ENHANCED YOUTH'S PERCEPTION OF JUSTICE SYSTEM STAKEHOLDERS	COLLABORATION HELPED ASSESS & ADDRESS THE NEEDS OF EACH PARTICIPANT
<p>"A lot of this should be solidified in the custodial part of the hall. They do a pretty detailed plan there...It would be great if the FLY program could be a part of that plan." <i>Chief of Probation</i></p>	<p>"It was really good for us to go through it as well. They saw us in a different light, like someone who is supportive of them...not just their probation officer but someone who's there to guide." <i>Probation Officer</i></p>	<p>"Some of them need a mentor. Mark pointed out that none of them have a male father figure in their lives...They don't have a structure on a daily basis." <i>STAY FLY Staff</i></p>

### 3. Centering the youth's protective factors sets the youth up for greater success

We also observed youth weighing trade-offs between choosing an adult sentence and the deferment of judgement in a youth-centric program. The former allowed the youth to maintain employment without the obligation to serve time in jail but also left the young adult with an adult criminal record. The latter required 30 days of time served in a juvenile facility, which disrupted community, education, and professional connections but delivered the benefits of record expungement. The lose-lose scenario stems from a system-centric, as opposed to youth-centric, policy approach and amplifies risk factors for young adults. Policies and practices that account for a youth's transition into adulthood will improve the ability of the justice system to successfully attract and steward young adults through new programs. This includes centering the youth's protective factors, which are conditions that mitigate risk for further justice system involvement.



#### ***4. Barriers to eligibility and participation limit access to restorative services***

The most significant impact on program outcomes did not rest in the program design but in the complex system of rules and incentives that prevented high rates of participation in the SB 1004 program at the outset. Anecdotes from system stakeholders highlighted low awareness of the program leading to few referrals from judges and prosecutors. FLY expects even more success if such a program were implemented within juvenile systems, which are set up to be more collaborative.

#### ***5. Youth-centered program design with participation from all system stakeholders builds momentum for justice reform***

Positive youth indicators, strong collaboration with the Probation Department, and important systems findings all redoubled commitment to incarceration alternatives for TAY after the micro pilot. These efforts led to some key milestones:

- A follow-up grant from the Board of Supervisors and a local community foundation to continue this pilot work in Santa Clara County
- A two-year extension of the original state senate bill
- Funding to launch and staff a pilot in Alameda County

A year after testing the micro-pilot, STAY FLY is now running, fully supported in two Bay Area counties. FLY will continue to monitor the long-term outcomes of these initiatives.



## THE SOLUTION: A responsive approach that centers young adults and engages their community

The combination of learnings from the STAY FLY micro pilot, ongoing systems collaboration, and growing momentum for juvenile justice reform point to five foundational shifts needed to better address the needs of justice-involved young adults in California:

1. *Raise the age of juvenile justice jurisdiction to the age of 25.*
2. *Mandate interagency and community collaboration for increased system accountability.*
3. *Shift to home and community-based placements instead of institutions.*
4. *Require a family-centered and strength-based case planning approach.*
5. *Fund evidence-based and promising practices that facilitate individual and community healing.*

The system first must address the question of access to services and interagency and community collaboration; until more young adults are seen as developmentally similar to youth and public agencies and community based organizations more effectively collaborate, California will not see its desired public outcomes. By raising the age of juvenile jurisdiction and shifting the context of care to community based support, youth will benefit from strengths-based case planning and evidence based practices that facilitate individual and community healing. The five changes proposed here are based on FLY's experiential learning with supporting TAY who are involved in the justice system through STAY FLY.

1. *Raise the age of juvenile justice jurisdiction to the age of 25.*

**What we learned from STAY FLY:** The opportunity to have another chance and learn new behaviors as they are emerging into adulthood was perhaps the biggest value of SB 1004 according to the young people who were enrolled. The pilot started out only including youth up to 21 and this evolved into SB 1106 which raised the age to 25. This move aligned with brain science and with the need FLY heard from youth in the program.

**The take-away:** Brain science tells us that key aspects of brain development tied to decision-making, judgment, and risk taking are not fully developed until the late 20s.

Increasing juvenile justice jurisdiction to the age of 25 sets the stage for rehabilitative care that includes skill-building and connection to community resources. This allows youth to make amends, understand the impact of their behavior, and contribute as a vital community member. Furthermore youth up to age 25 would have access to record sealing, eliminating added barriers associated with adult felony convictions.

## *2. Mandate interagency and community collaboration for increased system accountability.*

**What we learned from STAY FLY:** Collaboration allows all stakeholders to empathize with one another and avoid making decisions in a vacuum. It also identifies barriers and facilitates coordination to center the youth experience and equalize power. The senate bill mandated that a community-based organization be on the steering committee. Through inclusion in the steering committee, both a community-based perspective and a youth perspective were invited into the decision-making space. FLY's participation in multi-disciplinary team meetings ensured alignment and smooth transitions as the youth progressed through the SB 1004 program.

**The take-away:** We advocate for coordinated programs that design collaboration into the legislation. With this priority at the outset, public and community stakeholders can each bring their best qualities to the table for youth. Strong collaboration ensures community organizations, juvenile justice systems, families, and youth can combine efforts to support justice involved youth. There is no one person or group responsible and accountable to the wellbeing of our youth - it takes a village.

## *3. Require a family-centered and strength-based case planning approach.*

**What we learned from STAY FLY:** As part of the case management model, we use Critical Time Intervention (CTI) which aims to partner with youth to strengthen their positive support network while engaging supports that already exist and build new ones. This involves supporting youth to develop positive relationships with their family while building their self-efficacy to maintain the boundaries that support healthy relationships long term. Case planning for the program occurred by first assessing self-sufficiency of the TAY in areas such as school, work, safety, and substance use, and then co-designing goals that focus on the youth's interests, strengths, and assets while aiming to mitigate barriers.

CTI in STAY FLY relied upon identifying and forging relationships with existing structures instead of introducing new structures that will disappear after the program is over. The end goal was to rely on the network of support the youth has built rather than the community-based organization.

**The take-away:** A strength-based approach believes that youth and their families already have the strengths and resources that can help them thrive. It reframes youth and family challenges to see opportunities and solutions rather than falling into hopelessness (Hammond, 2010). By applying an asset-based approach to our justice system, our communities would become safer faster because youth and their families would be getting the support that is grounded in their environment, leverages existing personal and community resources, and cultivates their agency for sustained change - a reality that builds on existing strengths as powerful levers of change.

#### *4. Shift to home and community-based placements instead of institutions.*

**What we learned from STAY FLY:** The institutional setting for SB1004 in juvenile hall was unique. TAY often described it as a family environment where they supported one another and got support from staff. The value wasn't in the institution, it was in the structure and the relationships. FLY staff heard from many TAY about the trauma of being taken out of their homes and incarcerated.

FLY's most significant learning from STAY FLY is the importance of maintaining existing positive relationships and structures to keep young people supported, sustainably by their communities. Having to transition out after any amount of incarceration creates an unnecessary break in service, change in relationships, and the opportunity to lose trust by forcing a youth to rebuild new relationships at a time of transition.

**The take-away:** Institutional placement does not rehabilitate youth who are charged with crimes, restore justice to victims, or keep our communities safe. In order to reach these goals, youth must be in the community, learning new behaviors, and connecting to resources. While institutional placement might bring structure for youth, it does not reflect the reality they will return to once their sentence is complete. Therefore, we should keep youth in their homes whenever possible, or in home-like placements within their community with caring, supportive, community-based staff who are trained in [trauma-informed](#) and [strength-based practices](#).

## ***5. Fund evidence-based and promising practices that facilitate individual and community healing.***

**What we learned from STAY FLY:** In implementing STAY FLY, we did not encounter a single youth who was not capable of demonstrating remorse, particularly after being given a second chance through SB1004. Chances to change brings hope to young people and their communities and harnessing this hope creates the conditions for healing and reconciliation. FLY believes that punitive approaches only hinder healing. Social-emotional learning, supportive collaboration, and restorative justice set the tone for youth and their communities to embark on a healing journey that anchors to the humanity that binds our experiences. Here is just one of the many [stories](#) of healing that STAY FLY got to be a part of.

**The take-away:** We must address root causes that perpetuate cycles of victimization in our communities and fund practices that include pro-social activities, civic engagement, strength-based case management, mentoring, and law-related education. When FLY collaborated with Santa Clara County Probation to provide this range of support in response to SB 1004, youth had positive experiences. An iconic example of this was when one youth shared, *“I’m trying to hear people out more. When arguments happen with my family... I try and hear them out before I immediately get angry.”* Well documented, promising practices produce tangible outcomes when both individuals and communities are engaged through restorative and healing practices (Lindell & Goodjoint, 2020).

## NEXT STEPS: Envisioning the Future of STAY FLY

STAY FLY is not simply a program for justice-involved young adults, it is an invaluable organizing framework for nonprofits, justice system stakeholders, and youth and their communities to bring their collective assets together. By modernizing our juvenile system with the five insights and recommendations outlined in this case study, FLY envisions public, collaborative courts implementing community-based and restorative justice best practices. FLY envisions a future where STAY FLY is available for more youth and across more court systems in California with simultaneously updated public policies as a foundation.

STAY FLY demonstrated that SB 1004 was an important investment in California's citizens and communities – the senate bill allowed promising outcomes to emerge in a limited number of counties. However, future policy development should:

- **Reimagine justice with TAY:** FLY advocates for building in youth voice and lived-experience into a public decision making process that engages the community. Just as STAY FLY centered youth voice in the program development process, so too should future program and policy development.
- **Invest in responsive solutions for TAY:** FLY supports iterative approaches to program development that are responsive and tailored to community needs. FLY believes that social-emotional learning and restorative justice practices create the conditions for healing. This results in a more sustainable disruption of the pipeline to prison.
- **Scale TAY Interventions:** As juvenile justice legislation evolves FLY is hopeful that resources codifying these practices to support statewide system evolution.

FLY's commitment to youth requires system change and is excited for opportunities to expand STAY FLY across California. This work requires partnership and commitment – FLY welcomes system, community, funder, and policy maker partnerships to pursue the goal of a more responsive juvenile justice system.

*For more information about the STAY FLY Program, please contact Dr. Cassidy Higgins, Vice President of Community Impact, [cassidy@flyprogram.org](mailto:cassidy@flyprogram.org) or 408-504-5705.*

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