Transition Practices for Adjudicated Youth with E/BDs and Related Disabilities

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ABSTRACT: Reentry outcomes for formerly incarcerated youth are dismal. The challenges these youth face are even further intensified when they have learning or emotional and behavioral disabilities. Successful transition services need to be initiated in the correctional facility and continue in the community. This article discusses interventions designed to aid the reentry of formerly incarcerated youth into their communities. Gaps in existing service delivery are identified. Guiding principles for effective reentry programs and specific strategies focused on increasing employment and continuing education, both while incarcerated and when released, are highlighted.

The most difficult part of many youths' experience in the juvenile justice system is not being confined, but returning home. While incarcerated, these youth must attend school and/or participate in career and technical education programs. They receive medical and dental care, mental health services, adequate nutrition, recreation, special education and related services, and various treatment programming. However, when released, most youth experience dramatic changes in many, if not all, of these areas. Some may find schools and employers less than welcoming; others may find it difficult to obtain the same level of medical care, mental health services, or other treatment. Still others return to unsafe or unsupervised environments in which their patterns of delinquency originally emerged (Baltodano, Mathur, & Rutherford, 2005). Change in any one of these areas is challenging, but change in all of them simultaneously is almost unmanageable. The challenges these youth face are even further intensified when they have learning or emotional and behavioral disabilities (E/BDs) (Bullis & Cheney, 1999; Bullis, Yovanoff, Mueller, & Havel, 2002; Griller Clark, 2006; Rutherford, Quinn, Leone, Garfinkle, & Nelson, 2002). This is one of many reasons why transition is frequently cited as the most critical component of programming for young offenders (Griller Clark, 2006; Griller Clark & Mathur, 2010; Griller Clark, Rutherford, & Quinn, 2004; JJ/SE Shared Agenda, 2007; Stephens & Arnette, 2000).

Young Offender Outcomes

Reentry outcomes for formerly incarcerated youth with learning disabilities (LDS) and E/BDs are dismal compared to their peers without disabilities (Bullis, Yovanoff, & Havel, 2004), and longitudinal studies suggest that many youth who display criminal behavior will manifest continuing problems—at least to some degree—in their work, school, and family endeavors as adults (McCord, 1992). Some states report an average recidivism rate for juvenile offenders of nearly 55% at 12 months postrelease (Snyder & Sickmund, 2006).

In a qualitative study of their perceptions of risk and protective factors on exiting a correctional facility, youth identified decision making, family, and peers as important components to a successful community adjustment (Unruh, Povemmire-Kirk, & Yamamoto, 2009). However, these components could be either supportive or detrimental to the individual, depending on whether they were positive or negative in the youth’s community life (e.g., pro-social friends versus negative peers; Unruh et al., 2009).

On a positive note, formerly incarcerated youth with disabilities, including those with
E/BDs, who were working or going to school during the first 6 months of release were 3.2 times less likely to return to custody and 2.5 times more likely to remain working or enrolled in school 12 months after exiting the correctional facility (Bullis et al., 2002). In other words, these findings indicate that youth who become engaged in work and/or school soon after release fare better in their transition than those who do not become so engaged. Therefore, employment and further education immediately after exiting may serve as protective factors to reduce recidivism and improve post-school outcomes in the lives of formerly incarcerated adolescents with E/BDs.

We begin this article by describing gaps in service coordination that exist in facilities and communities. In the next section, we review interventions that have been effective in helping formerly incarcerated youth reenter the community. These interventions focus on increasing employment and continued education through a set of targeted transition services, in both facility and community settings.

**Service Coordination Gaps**

**Gaps in Facility Coordination**

Providing transition services in a correctional setting can be challenging for a number of reasons. First, staffing levels may not be adequate to provide for the timely and effective transfer of records, to conduct assessments, or to carry out programming. In addition, existing staff may not be prepared to meet the needs of the population (Houchins, Shippen, & Cattret, 2004; Mathur, Griller Clark, & Schoenfeld, 2009). Some may lack resources or professional training in special education or behavior management, while others simply may not understand their role as a correctional educator (Houchins et al., 2004). Additionally, security and education frequently embrace different philosophies, making it difficult to conduct transition-related activities such as online education, job, or housing searches, career fairs with external employers and speakers, work experience programs, or furloughs (Rutherford, Griller Clark, & Anderson, 2001). This may impact the youths' awareness of educational opportunities, as well as their ability to locate a school, vocational training program, or job. Furthermore, if youth do not receive any instruction in job-related skills, social skills, or independent living skills, they may not be able to keep the job they do manage to secure. Finally, the majority of youth face substantial challenges when returning to school. In many cases they are not welcomed back to the school or district they previously attended. In others, they may be released midsemester and told to come back at the beginning of the next term. Or they may lack the documents necessary to enroll in school (Griller Clark & Mathur, 2010). Whatever the challenges may be, research on transition clearly indicates that youth from the justice system need assistance returning to school (Bullis et al., 2002; Coffey & Gemignani, 1994; Griller Clark & Mathur, 2010; Griller Clark et al., 2004). However, this assistance cannot come from the justice system alone.

**Gaps in Community Service Coordination**

The transition from a correctional setting in itself is complicated and difficult and may result in diminished or ineffectual provision of community services, but navigation within and across agencies is even more daunting, especially for youth with E/BDs (Vander Stoep, Davis, & Collins, 2000). The shift from child-centered social service agencies to adult-oriented agencies, which often occurs at the same time youth leave a secure correctional setting and return to their communities, makes service coordination for this population difficult. Service gaps occur across and within the multiple agencies of mental health, education, and employment. These entities often have varying definitions for eligibility and access to services, different age requirements, and other discontinuities that make collaboration to support a youth's successful community reintegration difficult. For example, special education services can be provided through the age of 21, yet a youth may have to switch from a child mental health provider to an adult provider, which can reduce the continuity of these services. State juvenile service agencies also vary in terms of when juvenile services end and adult services begin. In addition, some child diagnoses are not aligned with the adult mental health system, and the youth may no longer qualify for services. Davis, Green, and Hoffman (2009) suggest that varying definitions for diagnosis and eligibility for services at differ-
ent times lead to confusion and lack of appropriate service coordination.

Furthermore, schools are often wary of taking young offenders back into the system, while at the same time a young offender may be hesitant to return to a setting in which he or she experienced disciplinary problems, poor performance, or irregular attendance. In addition, missing educational files can lead to a lapse in services (i.e., special education). Frequently record transfers from a secure setting back to the public school upon a youth’s release only occur if the school records were originally transferred to the secure setting education program.

In general, reentry services from schools, vocational programming, mental health, and juvenile justice need to address the developmental deficits of young offenders proactively and holistically (Nellis & Hooks Wayman, 2009). Services across agencies for youth of transition age are generally not age or developmentally appropriate and lack continuity (Davis et al., 2009). For example, child-serving agencies may not address the normal developmental stage of adolescents’ moving toward independence. On the other hand, adult services may be targeting populations that average between 30 and 60 years of age. Community services need to be tailored to the development needs of young adults between 16 and 25 (Nellis & Hooks Wayman, 2009; Unruh & Clark, 2009).

Effective Transition Services

A recent report by the Reentry Taskforce (Nellis & Hooks Wayman, 2009) defines a set of guiding principles for effective reentry programs. These principles include (a) conducting prerelease planning in facilities, (b) having available community services that address developmental deficits, (c) targeting permanency and housing in the community, (d) locating services in the communities of the youth’s release, (e) ensuring access to mental health and substance abuse treatment, (f) recognition of the diverse needs of youth, (g) providing structured workforce preparation, employment, and school attendance, and (h) ensuring better use of youths’ leisure time. Effective transition services focusing on these principles are required both within facilities and in the communities in which youth are released. A description of effective practices that include these principles, both pre- and postrelease, for youth with E/BDS is provided below.

Transition Services in the Facility

A comprehensive corrections-to-community transition program can assist all incarcerated youth, including those with E/BDS, experience greater success in returning to school and work upon release. A recent model demonstration project containing the components outlined below was found to increase engagement and reduce recidivism for youth with disabilities released from two short-term detention facilities (Griller Clark, Mathur, Sloane, & Helding, 2007).

Individualized Transition Plans

To attain a successful outcome, planning for transition should begin the day the youth arrives at the correctional facility (Griller Clark & Mathur, 2010; Griller Clark et al., 2004). The first step in this planning process is the development of an individualized transition plan (ITP). The ITP should be person-centered and based on the individual’s needs, interests, abilities, and preferences (Griller Clark & Mathur, 2010). Not only should it address special education and related services as mandated in the IDEA for youth with disabilities aged 14 and above (see Section §300.347(b) of the IDEA), but it should also incorporate the correctional reentry, parole, or probation plan. Therefore, it is essential that the transition plan be coordinated across departments within a single agency and across multiple agencies and service delivery providers (Eber, Nelson, & Miles, 1997; Griller Clark & Mathur, 2010; Leone, Quinn, & Osher, 2002). A transition plan must also involve the family, be sensitive to family needs, and develop supports for the family that can help them become more skilled (PACER Center, 2000; see Garfinkel, this issue). Finally, to be successful, transition planning should not be thought of as finite; rather it must be conceptualized as a longitudinal process in which the plan changes and is revised as the needs of the youth and family change (Hagner, Malloy, Mazzone, & Cormier, 2008).

Student Education Passport

In addition to a transition plan, a student education passport also facilitates the post-
release engagement of youth in educational opportunities (Griller Clark et al., 2007). A student education passport contains academic records and documents necessary to facilitate the timely enrollment of youth in school after release from a detention center or correctional facility. Documents contained in the education passport may include academic and vocational assessments, transcripts, credit analysis, copies of birth certificates and immunization records, résumés, IEPs, student special education rights, certificates, diplomas, and student work samples.

**Transfer of Records**

The compilation of the documents contained in the student education passport is one thing, the transfer of these and other educational records is quite another. The reliable and timely exchange of relevant education records from public schools to detention centers to subsequent placements in the community or to juvenile and adult corrections and back to the community can be unbelievably time consuming and problematic. Individual states and jurisdictions have various ways of addressing this. For example, the Virginia Department of Education has adopted guidelines that specify the procedures and timelines for the transition of student educational information and the roles and responsibilities for collaboration between the Department of Juvenile Justice, the Department of Correctional Education, the Detention Home Education Program, and public education agencies (Virginia Department of Education, 2006). Other states (e.g., Arizona, Maryland) have attempted to streamline the process by assigning the task to specific individuals, ensuring that local education agencies are aware of Family Educational Rights and Privacy Act (FERPA) guidelines allowing the transfer of records to correctional facilities, or by automating the process.

**Interagency Linkages and Communication**

Correctional facilities also can increase interagency linkages and communication to assist youth in the transition process by coordinating more regularly and strategically with parents and family members, public and alternative schools, other correctional facilities, and community and employment agencies. This can be accomplished through the establishment of transition teams or advisory boards, interagency agreements, career fairs, or joint professional development. One example includes the Memorandum of Understanding that provides for the immediate transfer of records from detention centers in Phoenix to the Arizona Department of Juvenile Corrections when youth are moved. Another is the partnership that exists between a correctional facility in Maryland and a local school district to provide joint professional development activities throughout the year.

**Tracking System**

Establishing a system specifically to track and monitor youth progress upon release also is an essential component of effective transition planning for youth with E/BDs and other disabilities. Many correctional agencies have internal data management systems that contain youths’ demographic information and criminal record, but rarely do these management systems contain educational or employment information. At a minimum, data management systems for youth on probation or parole should contain such information as school, grade level, and entry date for those in school, or employer, position, and days/hours of employment for those employed. The ability to maintain this information and to view a youth’s educational or employment history is essential to ensure they are being provided special education and related services in a timely fashion and to enhance and measure transition success. Additionally, a tracking system can identify youth who are not engaged and ensure that transition efforts are intensified.

**Funding and Staff**

Unfortunately, it is not enough just to have a well-crafted, person-centered transition plan, an education passport, a seamless transfer of educational records, increased interagency linkages, and a youth tracking system; there must also be funding and staff in place to support all these activities (Bullis et al., 2004; Rutherford, Mathur, & Griller Clark, 2001). Additional accountability and effective communication is ensured if there is a single point person, such as a transition specialist, who is responsible for creating and updating individual transition plans, as well as tracking youth
progress and outcomes. However, neither is it sufficient to simply assign a transition specialist after release; to forge a relationship with the youth and provide optimal support, the transition specialist must begin work while the youth is still in the facility.

**Transition Services in the Community**

The literature offers several suggestions for implementing effective transition services for young offenders that address the individual and system-level barriers to transition described earlier. The presence of a transition specialist in the community is essential to assist in the implementation of these services. The transition specialist serves as a conduit for continuing the transition plan developed in a secure setting (Unruh, Gau, & Waintrup, 2009). The transition specialist can be a resource broker who provides individual transition-related services and, as importantly, supports youth in navigating and gaining access to education and other public services aligned with youths’ transition needs for a successful community reintegration.

Community transition services supported by a transition specialist and aligned with the principles for reentry (Nelli & Hooks Wayman, 2009) can include the following features: (a) strategies to enhance self-regulation and problem-solving skills, (b) competitive employment, (c) flexible educational opportunities, (d) targeted social skill instruction, (e) immediate access to a coordinated service system, and (f) development and maintenance of prosocial networks.

*Enhanced Self-Regulatory and Problem-Solving Skills*

Matriculating from a secure, structured environment where few decisions are made by the individual to a community in which dozens of decisions need to be made on a daily basis is daunting for adolescents, especially those with E/BDs. Continued counseling support is essential. Cognitive behavioral therapy is a behavioral intervention that has been demonstrated to be evidence-based for youth in correctional facilities (Landenburger & Lipsey, 2005; Lipsey, Chapman, & Landenburger, 2001). These services need to be continued in the community to ensure the youth can transfer skills learned in the facility once they are released (Nelli & Hooks Wayman, 2009). Interventions that focus on the youth’s self-regulatory decision-making process and help maintain positive decisions are also critical to a successful community transition.

*Competitive Employment*

A paid work environment is essential for young ex-offenders, as competitive employment allows youth to experience natural consequences—both negative and positive—of the workplace. In addition, being involved in work also increases the amount of time the young adult will be engaged in positive activities (Unruh, Waintrup, Canter, & Smith, 2009). However, employment sites need to be aligned with the interests, strengths, and individual preferences of the youth (Waintrup & Unruh, 2008). The transition specialist will need to become knowledgeable about state laws related to young offenders and employment. For example, often states laws do not “convict” youth of crimes, instead they are “adjudicated.” This is an important distinction because many job applications ask whether an individual has been convicted of a felony. However, other states have laws that waive youth to the adult system. In this case the same laws and regulation for employment of adult felony offenders would apply to youth even though they are under the age of 18. Finally, there are various employment-related laws regarding access to specific employment sites, certification, or training programs based on the type of crime (i.e., sex offenses).

*Flexible Educational Opportunities*

Educational opportunities should focus on the needs, academic levels, and interests of each individual in order for the young adult to obtain a high school diploma or a GED. As described above, the continuation of the transition plan needs to be aligned with the future goals of the individual. Unfortunately, individuals leaving youth correctional settings are often credit deficient, and a traditional high school setting may not be an appropriate placement. In addition, many schools do not readily welcome young ex-offenders back into their home school setting. Local school district personnel often need training related to specific legal needs of young ex-offenders returning to a school setting to ensure that the most appropriate educational placement is...
defined for the individual. If a youth has received a diploma or will not be returning to school, then vocational training, certification, or postsecondary education options should be explored.

**Targeted Social Skill Training**

Dishion and Patterson (2006) describe how the individual, via self-regulatory behaviors, must navigate between multiple relationships within various social settings. The development of appropriate social skills for the variety of contexts in which youth interact—the workplace, school, home, and community with siblings, peers, spouses, children, and adults, is critical for successful community adjustment. Different sets of social skills are required to successfully maneuver among various relationships within and across these behavioral settings. For example, a youth needs appropriate social skills on the job to be able to interact with an employer, fellow employees, and possibly the public, and these social skills may differ from those used for successful peer interactions.

**Immediate Access to a Coordinated Service System**

The first six months after leaving the correctional facility are the most critical for preventing a return to either juvenile or adult corrections. Therefore, immediate access to services upon leaving the detention or correctional setting is essential. These services need to be located centrally in the youth’s home community and be developmentally appropriate (Davis et al., 2009; Nellis & Hooks Wayman, 2009). Many youth with disabilities, especially those with E/BDs, may require the involvement of multiple service agencies after leaving a correctional facility. These agencies may include the juvenile or adult correctional agency, mental health agency, alcohol and other drug treatment services, vocational rehabilitation or workforce investment agency, and housing. Even youths who do not have disabilities will find it difficult or impossible to effectively coordinate or navigate these agencies and services by themselves. Supporting the youth to develop the self-advocacy and organizational skills to manage their service agency needs along with their school and/or work commitments is important. Transition specialists must ensure that these services are selected with care so they are developmentally and culturally appropriate.

**Pro-Social Network Development Including Family Involvement**

A youth leaving a secure setting will need support in developing new pro-social and family connections in the community to foster appropriate use of leisure time (Nellis & Hooks Wayman, 2009). A number of positive networks can be created naturally by tapping the types of services or support in which the adolescent participates upon exit. For example, if a youth becomes employed or is enrolled in an educational or training program, more positive friendships may naturally develop through getting to know other individuals at work or school. If these networks are not established naturally, a parole officer or transition specialist could encourage or provide the opportunity for participation in activities surrounding an adolescent’s interests (e.g., group guitar lessons, gym membership).

In addition, family involvement is important to a youth’s community adjustment. Family is defined very broadly for this population and can include the youths’ grandparents, aunts/uncles, a foster care provider, or a friend’s home. Often families of juvenile ex-offenders may experience or demonstrate similar issues (drug use, depression, lack of affordable housing) in their own lives, and the whole family unit, not just the ex-offender, may need to be targeted for support services. Supporting the family’s stability can facilitate a youth’s successful community adjustment as well. Families may also need support in providing appropriate structure to the youth as he or she exits a secure setting. For example, the family may not have experience in how to set appropriate rules and boundaries for a youth to have the skills to support his or her developmental trajectory to adulthood.

**Project STAY-OUT**

A localized facility to community transition model, Project STAY-OUT—Strategies Teaching Young Offenders to Use Transition Skills—has been identified as a promising practice and is in the process of developing a localized funding model for program sustainability (Unruh et al., 2009). This program utilizes the essential features described above through the employment of a community-
based transition specialist. In the process of implementing this project, many lessons were learned regarding how to support the development of a local community’s capacity to adequately provide transition services to young ex-offenders. For example, in initiating localized partnership agreements it is important to define the roles and responsibilities of each partnering agency. In this process, a common language and eligibility requirements across agencies also must be defined. Eligibility requirements will differ across agencies, but ensuring that all partners are knowledgeable about these requirements and the vocabulary used will further foster collaborative relationships. Furthermore, developing cross-agency sharing of information to ensure that appropriate practices are in place to facilitate transfer the youth’s records and information to needed service providers is vital. Finally, the development of a sustainable funding model for a community-based transition specialist position is requisite to the success of community-based transition practices.

Conclusion

As Nellis and Hooks Wayman (2009, p. 6) observed, to reduce levels of youth delinquency we “must establish a national policy agenda which supports reentry services that connect youth with meaningful opportunities for self-sufficiency and community integration.” Transition is one such reentry service. The transition of young ex-offenders with disabilities needs to start the day the youth is placed into a secured setting and must continue into the community until the individual is stabilized in typical, developmentally appropriate life activities such as school, work, and positive peer and family relationships. These interventions have the collateral benefit of decreasing the recidivism rates of juvenile ex-offenders by keeping adolescents positively engaged in the community. Further, the implementation of evidenced-based interventions can reduce the need for future prison beds and thus save money for state and local taxpayers (Aos, Miller, & Drake, 2006). The implementation of a coordinated set of transition practices for incarcerated juveniles that spans the correctional facility and the community will not only contribute to their immediate social well-being, but will also improve lifelong outcomes for this hard-to-serve population.

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