Beyond Family Court Advocacy: Establishing School and Community Connections for Youth Services

Richland County Public Defenders Office Youth Reentry Program

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REENTRY

• Reentry describes this period of time when young people transition back to their families and communities after lengthy out-of-home court-ordered placements.

• Youth are simultaneously experiencing two types of transitions, one from out-of-home placement and the other from adolescence to adulthood.
COMMUNITY CONVERSATIONS

https://www.youtube.com/watch?v=lXgiwlrKQZE

REENTRY PROGRAM

The Youth Reentry program aims to help adolescents and their family reach their goals and overcome barriers when entering the community after detention.

**VISION:** To end the cycle of court involvement for youth while paving pathways to success

**MISSION:** To engage and support youth and families in Richland County by facilitating opportunities through creating community connections and service networks in order to help them reach their goals.

ORGANIZATIONAL CHART

Richland County Public Defender's Office

- Youth Crime
  - Public Defenders
- Parental Outreach
  - Public Defenders
- Youth Holistic Reentry Program
  - Aleksandra Chauhan, Ph.D., J.D.
    - Project Director/Assistant Public Defender
  - Yolonda Marshall, MA, BSW
    - Social Worker
  - D. Michael Mathison, J.D.
    - Civil Attorney
  - Youth Advocates
    - (2-4) MSW Students
  - Tamika Thompson, J.D.
    - Assistant Public Defender

Youth Advocates

- Youth Reentry Program
  - Youth Advocates
  - Youth Holistic Reentry Program
  - Parental Outreach
  - Youth Crime
Juvenile Justice: Disparate Impact and Consequences

- African-American youth make up 38% of the population in South Carolina but 64% youth detained in DJJ facilities.
- African-American youth make up 85% of referrals to law enforcement in Richland County but 46% of the population.
- 2010 national data showed that Hispanic and African American students accounted for over 70% of school arrests and law enforcement referrals.
- In 2015-2016, Disturbing Schools was the 2nd most common charge resulting in a referral for prosecution in SC Family Courts.
- 2015-2016, 42% of youth committed in SC were incarcerated for misdemeanor probation violations or contempt of court.
- 70% of incarcerated youth have at least one mental health disorder.
- Less than 20% of incarcerated youth go on to receive GED/High School Diploma.
- Recidivism Rate: defined as the percentage of youth who were re-referred to DJJ or arrested within 36 months of solicitor's decision.

EDUCATION ISSUES FOR RE-ENTERING YOUTH

PROBLEMS INSIDE

- Disruption of Educational Continuity
- Loss of Records
- Loss of Instruction Time
- Loss of Credits
- Poor quality and limited educational opportunities during incarceration.
- Constant Turnover/Lowest Common Denominator
- Placement on perceived achievement level

PROBLEMS UPON RETURN

- Getting back into school
- Alternative Schools
  - Not Community Based
  - Fewer academic and extracurricular opportunities
  - Lower quality of instruction
  - Stigma/Marginalization
- Disciplinary Push-out
  - Suspensions/Expulsions
  - Due Process Failures
  - Dropping Out/Truancy

SPECIAL EDUCATION FOR REENTERING YOUTH

- A grossly disproportionate number of youths with disabilities come into contact with the Justice System.
- A disproportionate number of youths with disabilities are subjected to exclusionary discipline at school.
- Despite federal obligations for school district’s to identify students with disabilities, many students are never screened for services until they enter the DJJ system.
- Studies have shown that nearly 33% of incarcerated juveniles receive SPED services under the IDEA, compared to a national average of fewer than 9% of all children.
- In Richland County School District One, students with disabilities accounted for 100 of the 343 (29%) students returning from expulsion and/or an out of home placement during the 2015-2016 school year.
WHY EDUCATION IS CRITICAL TO REENTRY SUCCESS

Education and Incarceration
- Compared to HS graduates, those who did not finish high school are 3.5 times more likely to have an adult arrest.
- Dropouts make up 82% of adult prison population.

Education and Employment
- Direct correlations between increased earnings and education level.

Education and Well-Being
- Attainment is also strongly correlated with financial well-being and even better physical health.

Social Costs to Community
- Unemployment
- Healthcare
- Crime rates
- Poverty
- Even higher divorce rates!

WHAT WE DO (Reentry Attorney)

Direct Representation
- Education
  - School Expulsion Proceedings
  - School Records
  - Enrollment/Placement
  - Special Education
  - Credit Transfer/Recovery
- Housing
  - Evictions
  - Landlord/Tenant Issues
  - Transitional Housing

Expungement
- Screening
- Advice on Process

Advise, Empowerment & Referral
- On-site brief legal advice and resources.
- Ready information on a wide variety of topics for clients and attorneys.
- Pamphlets
- Forms
- Numbers and Websites

Develop a network of service providers and non-profit organizations
- Keep in touch with your community partners.
- Information on new resources.
- Can they actually help?

Raise awareness about collateral consequences - all stakeholders

SCENARIO ONE

- XYZ was charged as an adult for a school related fight. He had been excluded from school without educational services for nearly four months despite SPED eligibility and his mother’s repeated efforts to secure homebound instruction. Soon after we got involved in XYZ’s case, an IEP meeting was convened, and XYZ was awarded compensatory education to make up for the time lost. We also put the family in contact with P&A, who continued to provide long-term legal representation for his special education issues.
SCENARIO TWO

• DEF was a textbook illustration of a Child Find failure: Beginning in the 3rd grade DEF was repeatedly excluded from school, retained, assigned to alternative school, expelled, academically failing and of glaring evidence of multiple disabilities.

• When DEF returned from a placement, she couldn’t get back into school. She was simply sent home one day, without any disciplinary referral, truancy petition or any follow-up whatsoever from the school district.
  ○ We managed to Get DEF reenrolled within a week and obtained copies of cumulative pupil records.
  ○ Two months later we got DEF’s next expulsion reversed.
  ○ In the fall, DEF secured a SPED evaluation and services.
  ○ We helped DEF apply for and obtain her first job, where she has been successfully employed for several months.

SCENARIO THREE

• JKL’s Medicaid was terminated and he was rationing his medications for depressive and anxiety disorders for months before they ran out. During that time he became socially withdrawn and picked up several charges and a truancy referral. JKL had a very unstable home environment.
  ○ We were able to get JKL reenrolled in a new school district living with another relative, and notified the district of his need for accommodations.
  ○ We appealed the cancellation of JKL’s Medicaid, and got his services reinstated retroactively to the date of cancellation.
  ○ With the restoration of his full treatment regimen, JKL reengaged with school, friends and family and has been doing well.
  ○ Some charges were dropped/diverted based on his progress.

REENTRY PROGRAM

STRUCTURE

- EDUCATION
- JOB READINESS
- PHYSICAL AND MENTAL HEALTH
- SUPPORTIVE SERVICES
- CIVIC ENGAGEMENT
- STRUCTURED ACTIVITIES

SUCCESS
WHAT WE DO

Mentors
- Refer to mentoring service

Structured Activities
- Expose to different activities
- Community service opportunities
- Connect to sporting opportunities

School
- Attend school conferences
- Available to go to the school during the day to intervene
- Assist with enrollment and transfers
- GED referral and resources

Mental Health
- Refer for treatment
- Monitor attendance and compliance
- Available to conference with providers

Physical Health
- Assistance setting up medical appointments - eye glasses/dental
- Advocacy with health professionals

Occupational
- Referral to Job Readiness Training Center
- Administer Interest Survey
- Planning Job Fair or Interest Presentation

PROGRAM CRITERIA FOR ADMISSION

- Current enrollment is 15 youth
- African American/Hispanic/Minority Population
- Detention for a minimum of 10 days
- History of Suspensions/Expulsions

PROGRAM PROCESS
HOW WE DO IT

COMMUNITY RESOURCES

• University of South Carolina
  ☐ College of Social Work
  ☐ Department of Criminology
  ☐ Department of Psychology
  ☐ Department of Education
• DJJ: Job Readiness Training Center
• United Way: Youth in Transition
• School Social Workers
• Non-profit Organizations (i.e., TBOY, Sowing Seeds into the Midlands, Girls Rock, Achieve Columbia)
• i3: Innovative Intervention Incubator: Reentry Coalition

FOR MORE INFORMATION, PLEASE CONTACT:

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