

EXTENDED FOSTER CARE AND JUVENILE JUSTICE SYSTEM INVOLVEMENT

KEUNHYE PARK • MARK COURTNEY • ANDREA LANE EASTMAN

SIGNIFICANCE

Given the disproportionate rates of juvenile justice system involvement among young people in foster care, this study focuses on the association between extended foster care (EFC) services to age 21 and juvenile justice system involvement among transition-aged youth (TAY) living in care.

POLICY BACKGROUND

California implemented the federal policy extending foster care services until age 21 in 2012. The state's implementation has been liberal and generous. Currently, the state provides continued resources and supports—housing, tuition, job training, etc.—during EFC. Using California state child welfare administrative data, this study examines if EFC is associated with reduced juvenile justice system involvement among TAY.

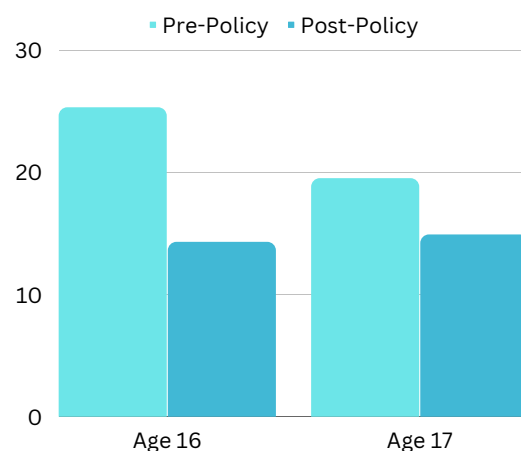
SAMPLE & METHODS

This study drew upon California state child welfare administrative data from 2006 to 2016 and included individuals in care between their 16th and 18th birthdays (N = 69,140). Data from the National Juvenile Court Data Archive were retrieved from the State Juvenile Court Case Counts to control for the state's annual rate of delinquency petitions. Juvenile justice system involvement was documented if a youth moved from child welfare-supervised placement to probation-supervised placement during the study window. The sample was divided into two groups based on whether youths were in care at age 16 within the pre-policy period (2006–2011) or the post-policy period (2012–2016), based on the timing of California's full implementation of EFC.

FINDINGS

- Statewide annual rates of delinquency petitions declined over the study period in California.
- Consistent with a national trend, California has seen a stark decline in the total number of delinquency petitions, from 23 per thousand in 2006 to 7.7 per thousand in 2016.
- About 31 per 1000 youth experienced termination of foster care placements due to incarceration or adjudgment between 2006 and 2016.
- The rate of youth experiencing juvenile justice involvement was lower after the EFC policy than before the policy (43% lower for 16-year-olds; 24% lower for 17-year-olds in the post-policy), even after controlling for the decline in petitions overall.

Rate of Juvenile Justice Involvement before and after EFC policy



IMPLICATIONS

This is the first study utilizing administrative data to evaluate the relationship between the EFC and the rate of juvenile justice system involvement for TAY living in care. Results suggest that EFC to age 21 reduces the likelihood that older adolescents in foster care experience juvenile justice system involvement. This finding has national implications in the current era of federal EFC, where youths in 28 states can stay in care until their 21st birthday, unless contact with the juvenile justice system makes them ineligible. Federal law prohibits reimbursement for placement of dependents in secure facilities (e.g., juvenile hall, jail, prison). While some placements supervised by California probation departments are certified foster homes or non-secure group homes, many youths supervised by the juvenile justice system reside in secure facilities on or before their 18th birthday, leaving them ineligible for later EFC.

CONCLUSIONS

This study provides evidence that offering supports during the transition to adulthood may well contribute to reducing the rate of justice system involvement for young people in foster care. It is possible that juvenile justice involvement has declined after the implementation of EFC, because although youths are not direct recipients of EFC services before age 18, professionals in court (e.g., judges, caseworkers, or attorneys) may be reluctant to transfer youth to probation supervision before age 18 since youth may lose later access to EFC if they exit to the juvenile justice system at the onset of adulthood. Another possible explanation is that youths' interest in remaining in EFC may create an unwillingness to take risks and serve as a protective factor against legal system engagement to avoid unwanted exits, jeopardizing their eligibility for future EFC services. Lastly, it might also be that the implementation of EFC has led to a systemic shift of operation at both service and system levels that encourages youths' early engagement in social and economic activities that prevent them from being involved in the legal system. This study adds to the growing body of evidence supporting the positive benefits of extended care and raises questions for future research.

FULL PUBLICATION

Is Juvenile Justice System Involvement Context-Dependent?: The Differential Experiences of Older Foster Youth in the Context of Extended Foster Care. *Child and Adolescent Social Work Journal*, 1-18. <https://doi.org/10.1007/s10560-022-00840-w>

