PROMISING SHORT TERM INTERVENTIONS:

THE UP & OUT PROGRAM

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Bronx Community Solutions
WHAT THIS SESSION IS

- EXPLANATION OF THE GAP IN INTERVENTIONS
- OUR RESPONSE TO THIS GAP
- A CURRICULUM OVERVIEW
- THE STORY OF UP & OUT IN THE BRONX
WHAT THIS SESSION IS NOT

• IT IS NOT A TRAINING
• IT IS NOT AN INTRODUCTION OF A VALIDATED PROGRAM
• IT IS NOT AN INDEPTH LOOK AT THE CURRICULUM
UNDERSTANDING THE GAP

Nationwide in 2014:
The problem of short sentences and long interventions when considering alternatives
A serious dosage/legal proportionality issue
Overall lack of research around misdemeanor-level defendants

In the Bronx in 2017:
96% of our misdemeanor cases (1,513) and 89% of our criminal cases (2,170) had jail sentences of 90 days or less.

Nationwide in 2014:
There were 744,600 inmates in local jails—the average length of stay was 23 days. (Minton 2015)
WHAT DID WE DO IN RESPONSE?

• The research team at the Center for Court Innovation developed an assessment tool (C-CAT).

• They began a study of 964 NYC misdemeanor level defendants.

• The results of this study lead to the creation of Up & Out.
WHAT WE LEARNED
## Sample Demographics

<table>
<thead>
<tr>
<th></th>
<th>Bronx</th>
<th>Midtown</th>
<th>Redhook</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sample Size</strong></td>
<td>382</td>
<td>274</td>
<td>308</td>
<td>964</td>
</tr>
<tr>
<td><strong>Average Age</strong></td>
<td>35</td>
<td>37</td>
<td>35</td>
<td>35</td>
</tr>
<tr>
<td><strong>% Under 25</strong></td>
<td>31%</td>
<td>30%</td>
<td>31%</td>
<td>31%</td>
</tr>
<tr>
<td><strong>Race</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black Non-hispanic</td>
<td>42%</td>
<td>49%</td>
<td>34%</td>
<td>42%</td>
</tr>
<tr>
<td>Hispanic/Latino</td>
<td>38%</td>
<td>25%</td>
<td>37%</td>
<td>34%</td>
</tr>
<tr>
<td>White (Non-Hispanic)</td>
<td>7%</td>
<td>9%</td>
<td>15%</td>
<td>10%</td>
</tr>
<tr>
<td>Other</td>
<td>13%</td>
<td>17%</td>
<td>14%</td>
<td>15%</td>
</tr>
<tr>
<td><strong>% Male</strong></td>
<td>72%</td>
<td>78%</td>
<td>72%</td>
<td>74%</td>
</tr>
<tr>
<td><strong>% Graduated High School or Gained GED</strong></td>
<td>65%</td>
<td>74%</td>
<td>65%</td>
<td>67%</td>
</tr>
<tr>
<td><strong>Employed at Arrest</strong></td>
<td>43%</td>
<td>45%</td>
<td>45%</td>
<td>44%</td>
</tr>
<tr>
<td><strong>Living Situation</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Homeless (street or car)</td>
<td>12%</td>
<td>22%</td>
<td>8%</td>
<td>13%</td>
</tr>
<tr>
<td>Transitional Living</td>
<td>38%</td>
<td>37%</td>
<td>35%</td>
<td>37%</td>
</tr>
<tr>
<td>Permanent Residence</td>
<td>50%</td>
<td>41%</td>
<td>57%</td>
<td>50%</td>
</tr>
</tbody>
</table>
Criminal History: Arrests *

*Administrative data except Arrested before 16, which is self-report; Significantly higher rates across items in the Bronx.
Criminal History: Convictions and Incarceration*

- Convictions based on DCJS data; Incarceration by Self-report; Significantly lower rates of conviction and incarceration in Red Hook site.

* Convictions based on DCJS data; Incarceration by Self-report; Significantly lower rates of conviction and incarceration in Red Hook site.
Problems with Employment

*Current “real” unemployment rate approximately 12% (BLS via CNBC.com).
Substance Abuse: Self-Reported Drug Problems

- Current user defined as at least once per month over the last year. Any past month use in general population is approximately 9.4% (SAMSHA NSDUH 2013).

- Current Drug User: 77%
- Using Daily: 47%
- Drunk or High at Arrest: 34%
- Drug-Related Accidents or Injuries in Last Year: 18%
- Drug Related Family Problems in Last Year: 25%
Trauma and Victimization

- Physical or Emotional Abuse (Lifetime): 28%
- Solitary Confinement: 26%
- Violent Crime Victim (last year): 19%
- Ever Witnessed a Shooting or Other Violent Event: 52%
- Flags for PTSD on PCL-R: 23%
Percentage Scoring “High” on Legal Cynicism Scales

<table>
<thead>
<tr>
<th>Scale</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Legitimacy Scale</td>
<td>76%</td>
</tr>
<tr>
<td>System Discrimination Scale</td>
<td>73%</td>
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</tbody>
</table>
THE CREATION OF UP & OUT
In response to these findings the Center set out to design a short-term, evidence-informed intervention.

We leveraged multiple evidence-based practices in one curriculum to address the Risk-Need profile of misdemeanor-level defendants, including these conceptual frameworks:

- **Procedural Justice**
- **Risk-Need-Responsivity**
- **Trauma Informed Care**
THE UP & OUT MODEL

- 3 or 5 sessions (60 minute)
- Closed group
- Split by age and gender identity
- Groups are ideally 10-15 participants
- Co-facilitation (at least one clinically trained facilitator)
THE CREATION OF UP & OUT

Designed to:

• Explore the participant’s views and experiences of the criminal justice system
• Analyze how their previous life experiences influence their present situation
• Identify safe and legal coping skills to stay out of the criminal justice system
• Connect to pro-social support systems
• Increase emotional regulation
Procedural justice refers to the fairness in criminal justice procedures and treatment of individuals involved at various points in the justice system—from law enforcement encounters through the criminal adjudication process.

Research has shown that when defendants perceive the court process to be fair, they are more likely to comply with court orders and follow the law in the future, regardless of case outcome.

The following are core elements of procedural justice:

- **Voice:** Justice-involved individuals are asked to share “their side of the story.”
- **Respect:** Justice-involved individuals are treated with dignity and respect.
- **Neutrality:** The decision-making process is unbiased, transparent, and consistent.
- **Understanding:** Justice-involved individuals understand how decisions are made and why.
PROCEDURAL JUSTICE and UP & OUT

- Facilitator and participants create an atmosphere of respect and understanding.

- Criminal Justice Associations creates a space for participants to voice their perception of the criminal justice system.

- The Criminal Justice Spectrum deepens the discussion of legal cynicism.
RISK-NEED-RESPONSIVITY and UP & OUT

- **RNR** provides a model for the assessment and treatment of criminal justice-involved individuals based on specific risk and need factors associated with recidivism.

- Provides guidance about who should be in *Up & Out* and is the foundation for specific activities which respond to individual risk and need factors.

1. **Risk**
   The risk principle asserts that future re-offense can be predicted and that treatment should be based on an individual’s risk levels (i.e., treatment should focus on higher risk individuals).

2. **Need**
   The need principle emphasizes the importance of identifying and targeting individual criminogenic needs in treatment services.

3. **Responsivity**
   The responsivity principle describes how treatment should be delivered and stresses that it be tailored to the level appropriate for the individual.
The study revealed the population to be chronically justice-system involved and “high need” across most established criminogenic and behavioral health domains. (substance abuse, trauma, and mental health)

While the presence of trauma and/or mental health issues did not directly predict recidivism, the high prevalence of mental health issues suggested it could affect overall risk reduction.

Ecological factors (e.g. housing instability and education/employment) were found to be strongly associated with increased recidivism.

Surviving & Thriving and Resource Mapping are two activities that address Risk-Need factors.
The intervention is designed to address both individual-level trauma and system-level trauma.

Up & Out does not provide explicit psychoeducation around trauma, rather it offers a space for participants to explore various reactions to traumatic events.

Many of the activities aim to recognize signs of trauma among participants, the impact of trauma over time, and how it affects them currently.
CHALLENGES

- Stakeholder buy-in
- Staff buy-in
- Messaging to participants
- Fidelity to the model and the court context
- Model adaptation
SUCCESSES

- Engagement
- Completion rates
- Client satisfaction
- Effective collaboration
- Connection to long-term services
QUESTIONS