



What is *Up & Out*?

Up & Out is a new social services mandate designed to reduce recidivism risk among misdemeanor-level defendants in New York City.

In the absence of meaningful, legally-proportionate alternatives, many jurisdictions have long defaulted to short-term incarceration as a response to misdemeanor offenses. This despite research that suggests that as little as 48 hours of incarceration can increase defendants' likelihood of re-arrest.

Up & Out is a three- or five-session intervention that is grounded in three evidence-based practices:

- **Cognitive-behavioral treatment (CBT)** is a goal-oriented approach that helps individuals develop alternative ways of thinking that lead to positive emotional and behavioral changes. *Up & Out* adapts critical components of longer-term CBT intervention models that typically require 30+ sessions to complete.
- **Procedural justice** is the idea that how defendants are treated matters as much as the outcome of their case. Research shows that when defendants have a chance to tell their side of the story and perceive the process to be respectful, neutral, and understandable, they are more likely to comply with court orders and follow the law in the future, regardless of case outcome. The first of its kind, *Up & Out* translates these principles of procedural justice to a clinical setting. Every component of the model – from the initial discussion of individual and group expectations through the closing activity – is carefully designed to promote participants' experience of voice, respect, neutrality, and understanding.
- **Trauma-informed care** is an approach to service provision that acknowledges that many defendants have experienced violence, abuse, and other traumas. Research shows that trauma can cause a range of emotional, physical, and behavioral responses, such as altered thought-processes. *Up & Out* is carefully designed to avoid triggering or re-traumatizing defendants, while simultaneously teaching skills related to affect regulation and stress management.

Up & Out is a closed group (a single cohort of participants attends a set number of sessions) facilitated by clinically-trained social workers. It is intended to help participants cope with challenging circumstances, access pro-social resources, and avoid further contact with the criminal justice system. With support from the U.S. Department of Justice, *Up & Out* was developed based on comprehensive needs data about New York City's misdemeanor population. Ongoing research will be conducted to track outcomes and ensure fidelity to the model.

For more information, or to request training and technical assistance, please contact:

Yolaine Menyard, LMSW
Associate Director of Research-Practice Strategies
Center for Court Innovation
ymenyard@nycourts.gov