



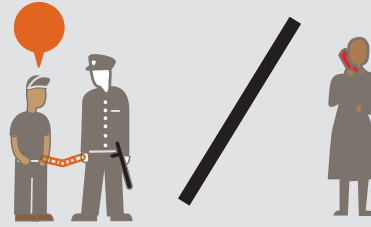
Families Unlocking Futures:
Solutions to the Crisis in Juvenile Justice
EXECUTIVE SUMMARY



A WALK THROUGH THE JUVENILE JUSTICE SYSTEM*



1. School In more and more public schools, police patrol the hallways and 'zero tolerance' policies are increasingly pushing students out, suspending or expelling youth for normal adolescent misbehavior rather than attempting to retain students with alternative support. Families are often given inadequate notice or opportunity to participate in school disciplinary hearings.



2. Arrest Aggressive police tactics including 'stop-and-frisk' drive the growing number of youth of color arrested for 'quality of life' crimes and other misconduct. After an arrest is made, children are often prevented from speaking with their family before questioning, not informed of their rights and subject to questionable police practice.



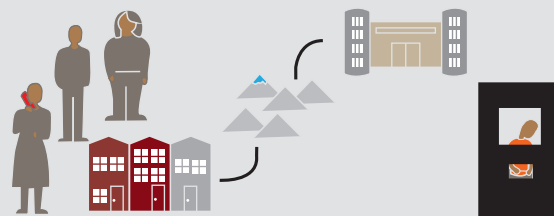
3. Detention Children are often unnecessarily detained in youth detention centers while they are awaiting trial. Detention of a child has been shown to have profound and lasting negative impacts. Families neither receive information regarding the harms associated with detention nor accommodations that make it easier to collect their child from the detention center after an arrest has been made.



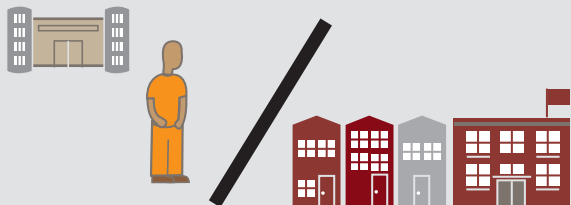
4. Adjudication/ Trial Youth and families often wait long periods of time for short, confusing court appearances where they are not oriented to what is happening nor given an opportunity to speak.



5. Probation Too often, families seeking support are instead directed to probation, resulting in greater juvenile justice system involvement. If youth do not comply with probation requirements, they often end up in a confined facility for even the most minor infractions.



6. Placement When children are found to have committed a delinquent act, authorities often place them in facilities that are hours away from home and difficult or impossible to reach by public transportation. Families face severe restrictions on who, when and for how long they can visit and exorbitant phone call costs. Generally, the costs associated with a young person's involvement in the justice system weigh heavily on families of modest means.



7. Re-Entry/ Parole Youth are often released without significant notice to families, or the documentation and other preparation needed to return to school, work, and home. Youth face significant barriers to getting back into school and securing housing and employment. They often face parole supervision that can result in their re-arrest and confinement for parole violations.

**A Walk Through the Juvenile Justice System is a visualization of the experience of the current juvenile justice system process as described by Focus Group and Survey Participants. At each stage, low-income youth, youth of color, and especially low-income youth of color are disproportionately negatively impacted.*

About the Authors



Justice for Families (J4F) is a national alliance of local organizations working to transform families from victims of the prison epidemic to leaders of the movement for fairness and opportunity for all youth. We are founded and run by parents and families who have experienced “the system” directly with their own children (often the survivors of crime themselves), and who are taking the lead to help build a family-driven and trauma-informed youth justice system.



DataCenter is an independent research organization for social justice movements and grassroots organizing. Rooted in progressive social movements and grounded in values of justice and self-determination for communities, DataCenter believes in advancing the concept and strategy of Research Justice—a theory and practice for social change that validates all forms of knowledge, and puts information in the hands of communities organizing for justice. Communities are experts on the problems and solutions affecting their lives. DataCenter helps surface that knowledge in ways that develop leadership, increase community power, and generate momentum for social change.

Justice for Families is a national alliance of membership-based organizations and allies including: Books Not Bars; Center for Community Alternatives; Citizens for Second Chances; Community Connections for Youth; Community Rights Campaign; Families & Allies of Virginia’s Youth; Families and Friends of Louisiana’s Incarcerated Children; Families Organized for Reform of Juvenile Justice; Renewed Minds; Spirit House; Texas Families of Incarcerated Youth; and Youth Justice Coalition. This report reflects the work of all of these organizations.



Top Cover
Photo Courtesy of
Spirit House/ Erin
Bree

Bottom Cover
Photo Courtesy of
Richard Ross



Youth in Detention

Photo Courtesy of
Richard Ross

EXECUTIVE SUMMARY

The parents and families of court-involved and incarcerated youth love their children and are hardworking individuals with deep ties to, and concern for, their communities. Yet, more often than not, “tough-on-crime” rhetoric and uninformed stereotypes about youth and their families have governed the policies of juvenile justice systems. In writing this report, families are challenging those misperceptions.

The research for, and writing of, this report was conducted by Justice for Families (J4F), a national alliance of local organizations working to transform families from victims of the prison epidemic to leaders of the movement for fairness and opportunity for all youth. We are founded and run by parents and families who have experienced “the system” directly with our own children, and who are taking the lead in helping build a family-driven/trauma-informed youth justice system.

Justice for Families and its research partner, the DataCenter, surveyed more than 1,000 parents and family members from 20 cities spread across 9 states; conducted 24 focus groups of 152 youth, parents, and family members from 12 cities across 9 states; closely reviewed nearly 300 articles from 11 metropolitan areas that discussed families of court-involved youth; and completed a literature review of government and community alternatives to “zero-tolerance” school discipline procedures and traditional juvenile justice system court processing and adjudications.

In focus groups and surveys, families described how the rapid growth of the prison system, zero-tolerance policies, and aggressive police tactics coupled with the decline of social services and public education have wreaked havoc on their predominantly low-income communities of color. In this context, rather than being a deterrent, the juvenile justice

system has functioned as a principal feeder into our nation’s vast prison system.

Low-income children and children of color face crumbling and closing schools, zero-tolerance rules, and regulations that turn adolescent mistakes into “repeat offenses.” Their families face extreme financial vulnerability. While they struggle to meet basic needs, they find it increasingly difficult to access and afford positive recreational and educational opportunities for their children. If they have the misfortune of encountering the juvenile justice system, they’ll face exclusionary policies that: (1) create and deepen economic instability; (2) discriminate against families that deviate from the nuclear family norm; and (3) reinforce the incorrect assumption that their families are apathetic or worse, that they are part of the problem.

Meanwhile, a vast research base shows that: (1) locking children up in adult and adult-like prisons and jails puts them at grave risk, increases their chances of being violently abused and locked up again, and ultimately decreases the safety of communities; and (2) families are crucial to the success of system-involved youth and family-centered youth programs work. Yet these solutions and the harm to youth and families are too often ignored because either families do not have a seat at the table, or are assumed to be the problem.

The work of this report and the work of Justice for Families is designed to set the record straight: to correct misperceptions about system-involved youth and their families; to demonstrate the depth of engagement by system-involved youth and their families; and to assert the critical need for these families’ active participation and leadership in redesigning the youth justice system in order to secure safer and more prosperous communities.

JUVENILE JUSTICE SYSTEMS LOCK DOWN CHILDREN AND LOCK OUT FAMILIES



All children need to be nurtured and supported into adulthood: it is an investment in their future and in the security of our communities. Yet, juvenile justice systems in the United States set up far too many youth for failure. School resources increasingly go towards enforcing zero-tolerance policies that push youth out of schools. Meanwhile, despite the fact that incidents of more serious crimes remain near record lows, youth arrests for minor misbehavior have risen dramatically over the last two decades outside of school. Once youth are inside the system, the lion's share of resources is allocated toward locking them up. Nearly 50,000 children are separated from their families each night in what are little more than youth prisons. Most of the money spent on youth who become involved in the justice system funds correctional confinement. In 2007, states spent approximately \$5.7 billion locking up 64,558 youth at an average cost of \$240.99 per day, or around \$88,000 a year for each youth incarcerated in a juvenile facility. The "community component" of youth justice is dominated by probation, which in most jurisdictions primarily includes risk management and surveillance. Funding for counseling and positive skill development is notoriously scarce.

At every stage of the juvenile justice system—from schools, to arrest, to courts, to probation, to youth imprisonment—youth of color face unconscious bias on the part of the professionals in these systems. This unconscious bias, coupled with structural inequity, drive disproportionate numbers of youth of color into the system.

Research in both the United States and abroad confirms that the more deeply involved a young person gets with the juvenile justice system, the more likely he or she is to get arrested as an adult. Rather than helping young people stay in school, or develop skills and other building blocks for a successful life, juvenile justice systems are tracking youth toward adult prison.

At every stage of the juvenile justice system, when critical decisions are being made about how a young person is treated, families are outright excluded, disregarded, or not provided the information and tools necessary to actively participate in proceedings dominated by legalese and jargon. Parents understand that the system's caseload is tremendous and that professionals often face inflexible rules. Nevertheless, no decision about someone's child should ever be made without consultation with parents or guardians. Making matters worse, youth themselves are similarly excluded from the decision-making process.

"I don't think the system is there to help children, just to contain them."

—Parent, Bronx, NY

STATES SPENT
\$5.7 BILLION
LOCKING UP
64,558 youth
IN 2007.
THAT'S
\$88,000 per year
per youth
OR
\$240.99 each day.

"It was just like we were in the dark."

—Parent, Jackson, Missouri

Locked Down/Locked Out: Schools

Nearly one in three families surveyed reported that their child's first arrest took place at school. Focus group participants discussed the unnecessarily harsh disciplinary measures prevalent in schools and the lack of available counselors. Families turning to the few school counselors made available to them for help and guidance when their child was misbehaving reported negative results. "I repeatedly asked the school for help in keeping my son in class rather than being suspended and sent home. The school told me they didn't have adequate staff or resources to help," said a Louisiana parent. Additionally, parents shared that accessing services, rather than being seen as a positive act, often marked their child as "high risk," and was often used as evidence of youth delinquency and, ironically, created a path into the juvenile justice system.

Locked Down/Locked Out: Arrest

Fueled by "stop-and-frisk" policies and other aggressive police tactics in low-income communities of color, the number of youth referred to juvenile courts for minor misbehavior has risen in the last fifteen years, despite the fact that these tactics do little to nothing to address serious crimes.

In J4F focus groups, youth, parents, and family members expressed deep concern that after an arrest is made, children are often subject to questionable police practices, including being physically mistreated, prevented from speaking with their family before questioning, and not being informed of their rights. As the number of youth arrests for minor crimes have risen, so have the number of youth formally prosecuted in juvenile court. Furthermore, statistics show that racial disparities in minor crime prosecution tend to be more extreme for these minor offenses. Even where youth are not found to have committed a delinquent act, the consequences of youth involvement in the system are severe.

Locked Down/Locked Out: Detention

Programs like Scared Straight and other "reality" TV shows about prisons promote the idea that locking up young people will scare them straight. However, research demonstrates that even short periods of detention pending trial have profoundly negative impacts on young people's mental health and well-being, employment and educational outcomes, and their likelihood of becoming more deeply involved in the justice system.

"Some of the schools are becoming like little mini-prisons."

—Parent, Oakland, CA

"My eight-year-old [was] handcuffed by the police officer because they were taking pictures on top of a car.When I went to the precinct to pick up my child, my daughter, both of them an eight-year-old and a ten-year-old, were handcuffed to a rail."

—Parent, New York

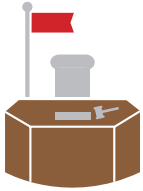


When families receive a call from the juvenile detention center after their child's arrest and are asked to pick up their child, they often neither receive information about these harms of detention, nor are they offered the transportation or childcare services sometimes necessary for them to be able to pick up their detained child. An alarming 80 percent of families reported they were never provided any information about the harms associated with detaining a young person before their trial or adjudication, also referred to as the "dangers of detention."

"Juvenile detention centers should have a giant warning label like those required of prescription medications: **'These centers are known to cause harm to young people.'**"

—Grace Bauer, Co-Director, Justice for Families

Locked Down/Locked Out: The Courtroom

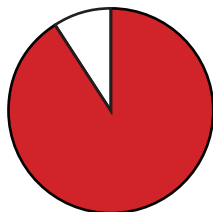


Parents and families expressed many concerns about the court process.

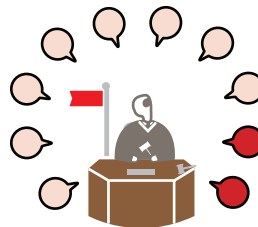
- Ninety-one percent of family respondents said that courts should involve families more in decisions on what happens to a child found delinquent/guilty. Yet, more than eight in ten family members surveyed reported that they were never asked by a judge what should happen to their child. Once cases were called, families described court hearings as proceeding quickly with no time to understand what was going on or provide input.
- Just 18 percent of families reported that professionals in the youth justice system (judges, probation officers, public defenders, facility staff, and others) were either "helpful" or "very helpful" during the court process
- Families described having to wait long periods of time before their children's cases were heard and not being clear on if, and when, they would be heard
- Focus group participants described feeling blamed throughout the process and feeling as if they had committed a crime

"We didn't know what time he was supposed to be there. We pretty much got there at the crack of dawn and just waited. The lawyer was not very talkative—he was very rude. **So it was frustrating and we were upset over it. And it was done in like a blink of an eye.**"

—Parent, New York



91% of survey respondents said that courts should involve families more in decisions on what happens to a child found delinquent/guilty



More than eight in ten family members surveyed reported that they were never asked by a judge what should happen to their child.

Locked Down/Locked Out: Probation



If youth don't comply with probation requirements, they often end up in a confined facility. Focus group participants found the probation system to be a fast track to greater system involvement. Parents shared that often attempting to access services, rather

"I wanted a program for him but what he got was **five years probation.**"

—Mother, New York

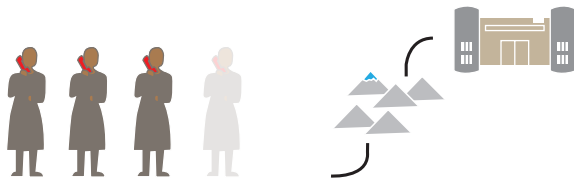
than being seen as a positive act, marked their child as “high risk,” and placed them on the probation path into deeper involvement in the juvenile justice system.

Locked Down/Locked Out: Youth Prisons

Once youth have been to court and found guilty of a crime, even a low-level one, juvenile courts often place them into state-run or state-funded corrections institutions, i.e. youth prisons.

- Eighty-six percent of family members surveyed said they would like to be more involved in their children’s treatment while they were confined in a youth prison or other residential placement
- Three out of four survey participants reported facing serious impediments to visiting their children and over half said that it was difficult to contact staff at the facility to ask how their child was doing, or get information about their child’s progress and/or safety

These statistics are especially alarming given the abuse, isolation, violence, and mistreatment common in youth prisons across the country.



Three out of four survey participants reported facing serious impediments to visiting their children.

Locked Down/Locked Out: Youth Re-entry

The release of a child back to their family and community is a powerfully important juncture that presents a unique set of challenges for both the child and family. Families should be prepared to deal with these challenges.

- Yet, only 32 percent of parents and families surveyed reported discussing release plans with juvenile justice system personnel prior to their child’s release
- Sixty-nine percent of families surveyed said it was either “difficult” or “very difficult” to get their child back in school post-release

In addition to difficulty getting back into school, children returning from even short-term placements can face difficulties finding employment, securing a place to live, or getting necessary medications, to name just a few basic needs. Though measures of recidivism vary across states, roughly 70-80 percent of youth released from youth prisons are rearrested in two to three years.

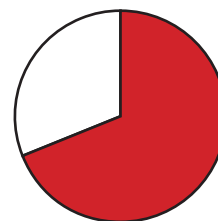
“My son has made mistakes in his life. **But he wasn’t sentenced to be tortured.**”

—Parent, California



“Kids are told, ‘It’s your release day. Grab your clothes, it’s time to go.’ This is poor planning on the part of systems and **only sets the kids up for failure.**”

—Parent, California



Sixty-nine percent of families surveyed said it was either “difficult” or “very difficult” to get their child back in school.

JUVENILE JUSTICE SYSTEMS TEAR APART FAMILIES



Nearly two-thirds of parents take time off from work without pay to support their family member as a result of their involvement with the system.

The juvenile justice system's impact is felt in families' pocket books, at their dinner tables, in the strain on their relationships and their mental health, and in the lack of opportunities for their children in the community.

Torn Apart: Economic Impact



The costs associated with a young person's involvement in the justice system weigh heavily on families of modest means.

- More than half of family members who took part in the Justice for Families survey reported that their households live on less than \$25,000 per year
- One in three families said they have had to choose between paying for basic necessities like food and making court related payments
- One in five families reported having to take out a loan to make court related payments
- Two out of three parents surveyed reported that they have had to take time off from work without pay to support their family member as a result of their involvement with the system
- More than one in three families indicated that the cost of phone calls was prohibitive, and kept them from having contact with their loved one

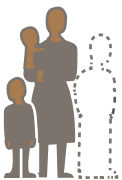
"You can lose everything. Financially it will pull you down trying to hold onto a child."

—Parent, Louisiana



Approximately 1 in 3 families said they have had to choose between paying for basic necessities like food and making court-related payments.

Torn Apart: Mental and Emotional Health Impact



Focus Group Participant
Bronx, NY

Photo Courtesy of
Shawn Escoffery

"As a parent of a juvenile that went through the system ... it affects the whole family. My anxiety and stress level went up, the doctor put me on medication. I was having nightmares that they were killing my child. ... It affects you mentally and physically having a loved one that's in the system. If you don't know how to navigate the system, you don't know what's going on. So all kinds of things are going through your head."

—Parent, Texas

Families suffer the grief of separation, experience the extreme stress of overwhelming concern for the well-being of their loved one, and are faced with shame, blame, mistreatment and helplessness and indignation over their exclusion at the hands of the system. These challenges impact individual family members and stress relationships in the family.

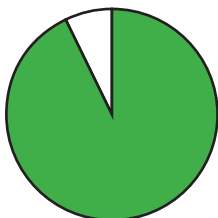
FAMILIES DEMAND SOLUTIONS, FAMILIES ARE THE SOLUTION

Families go to tremendous lengths to support their children. They do this despite the barriers placed before them by the system. If the goal of the system was to create opportunities for growth and development for youth instead of merely punishing them—and their families and communities by extension—we would have a radically different youth justice system. Families want to help turn juvenile justice systems that treat young people as “juvenile delinquents” into youth justice systems that recognize young people as children and not-yet adults.

Stop Locking Out Families

As a first step toward creating a youth justice system that engages and partners with families, juvenile courts and juvenile probation and corrections agencies should eliminate policies and practices that needlessly burden, alienate, and exclude families. Instead, juvenile courts and correction agencies should spell out families’ rights at every relevant stage of the process. For example, families surveyed indicated some of the many ways that youth justice system officials might be more responsive to families during the court process and while youth are in youth or adult prisons:

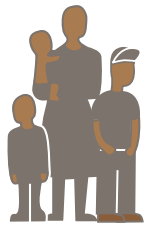
- Give families more timely notification of court dates (87 percent)
- Hold court appearances when it is easier for families to attend hearings (85 percent)
- Support families’ transportation to court (84 percent) and residential placements (81 percent)
- Discontinue taking away visits for misconduct in the facility (76 percent)
- Maintain a staffed hotline or call center for families who have questions about visitation (92 percent)
- Notify families of expected release dates to allow them sufficient time to prepare (93 percent)
- Locate facilities/programs closer to family residences (91 percent)
- Have more visitation opportunities (91 percent) and fewer limits on who can visit (83 percent)



93% of families wanted better notification about release dates to allow them sufficient time to prepare.

“Everybody that has a child that gets involved with the justice system needs to find out their rights. Find out your rights first and foremost.”

—Parent, New York



Start Building in Family Leadership



1) Ensure Meaningful Parent/Family Participation in Critical Decisions.

Youth justice systems should work to ensure that parents and families play a central role in all decisions that impact their children. A young person's parents and family should not only be invited, but also encouraged to participate in school disciplinary hearings, and in juvenile court diversion, detention, adjudication, and dispositional hearings. In Connecticut for example, Case Review Team (CRT) conferences are used to explore all options before any young person is committed to residential custody. These conferences include family members, youth, and system personnel and have been shown to help prevent further involvement in the justice system.



Community Meeting,
Bronx, NY.

Photo courtesy of
Community
Connections for
Youth/ Shawn
Escoffery

2) Create, Encourage, and Sustain Peer Support Programs for Families of Court-Involved Youth.

Youth justice systems should work with community-based organizations to provide peer support to families. One of the most consistent themes of these focus group conversations was family members' frustration with having no one to talk with who can understand their stress, explain the process, answer their questions, and provide advice.

Families and Friends of Louisiana's Incarcerated Children, Families & Allies of Virginia's Youth, and the Books Not Bars campaign of the Ella Baker Center for Human Rights have mobilized hundreds of parents and family members in their networks, offering peer support, leadership development, and collective advocacy opportunities for parents and families of system-involved youth.

While all peer-support work is helpful, efforts that couple peer-support strategies with organizing and advocacy offer the greatest potential to transform youth-serving systems for the better. It is imperative that families not only understand their rights but also be able to influence the decisions large and small that impact their children and communities.

"What I think should happen is... they should educate the parent. **Let the parent know, be aware.** ...You want to do the time with your kid the first time, you want to be with them. The first time you're going to lock them behind those bars, make me aware of what's going on."

—Parent, New Jersey

"It wasn't a support group exactly, but that is what it was. **It was other people in a similar situation saying, 'My God, this can't be. We need to do something.' That was very helpful.**"

—Family Member, Virginia

3) Building in Family Leadership: Ensure Parents and Families a Meaningful Voice in Crafting and Reforming Youth Justice Policy

Across the country, youth justice policy needs to be thoroughly reexamined and families must be involved. An overwhelming 92 percent of families surveyed stated that families should be engaged in local, state, and federal policy discussions regarding how juvenile justice systems work and the kinds of programs that are made available. Yet, just 27 percent reported they had ever been part of such discussions.

Community-based organizations can play a valuable role in ensuring meaningful family engagement and partnership in youth justice systems. These organizations should be supported. While only 27 percent of all families surveyed reported being involved in conversations with decision-makers about the juvenile justice system, over half of families who reported involvement in a community-based organization had been involved in such a conversation.

Stop Locking Down Youth

Focus group and survey participants identified eliminating policies and practices that criminalize youth as a fundamentally necessary change. Youth justice systems should refrain from arresting or imposing harsh and disruptive sanctions on youth for typical youthful misbehavior by:

- Eliminating zero tolerance school discipline policies that result in students being arrested, suspended, or expelled due to truancy, roughhousing, and other run-of-the-mill adolescent behavior
- Ending the criminalization of “defiance” and other vaguely defined offenses that worsen racial disparities in school discipline
- Ending intrusive and discriminatory stop-and-frisk tactics by police in low-income communities of color, and curbing arrests for drug possession and other low-grade misconduct in the community

Youth justice systems should eliminate reliance on confinement and residential placements for youth by:

- Sharply reducing the number of young people confined in pre-trial detention
- Closing inherently abusive and dangerous youth prisons
- Treating the small number of youth that system officials deem as requiring confinement in small, community-based facilities close to their homes
- Developing restorative justice models proven effective even in the most serious cases as alternatives to confinement
- Eliminating the practice of trying youth in adult courts, detaining youth in adult jails or immigration detention centers or incarcerating youth within adult prisons

“I’ve learned throughout this whole experience that I’m going to let my voice be heard. ...Judges, politicians, I don’t care. ... If you’re off the mark, you’re off the mark.”

—Mother, California

“Even though the facilities are so bad, we spend hundreds of thousands of dollars on each youth who is locked up. We can do better for the youth by offering real rehabilitation for the youth, and closing all the abusive youth prisons.”

—Mother, California



Start Building On Youth Strengths



In our survey and focus groups, youth and family members articulated time and again the need for a youth justice system based not on punishment and “risk management” but on restoration and positive youth development.

The transformed youth justice system would reallocate resources previously spent on confinement to fund positive youth development and supervision programs that allow young people to remain at home and continue in their schooling. These programs have been shown to be more effective and less costly in addressing problems that lead to youth coming in contact with the courts and in developing the skills youth need to succeed. Examples of successful programs include:

- Intensive wrap-around supervision programs that pair youth with resources in the community. These programs pool resources from diverse funding sources and offer an array of services tailored to the needs of youth
- Rigorous career and vocation training programs which serve many court-involved youth
- Intensive in-home therapy programs that offer counseling services for youth and families

While resource reallocation from coercion and control interventions like youth prisons toward more treatment-focused interventions like intensive in-home therapy programs are helpful, most J4F survey and focus group participants said direct investments in their communities were most needed.



Youth Prison Closure Celebration
Stockton, California

Photo Courtesy of
Books Not Bars/
Xiomara Castro

Start Investing In Families And Communities

Over the last thirty-five years as local, state, and federal governments have drastically increased the amount of funding that goes toward incarcerating youth and adults, there has also been a precipitous decline in funding for basic social services including education, affordable housing, job development programs, drug treatment programs, mental healthcare facilities, and childcare supports. These disinvestments have disproportionately impacted the same people hardest hit by failed justice strategies: people of color and low-income people.

As a matter of equity and public safety, dollars spent on unnecessary incarceration should be reinvested in (1) community-driven decision-making models that draw on the resiliency of youth, family, and community members to resolve conflict; and (2) basic social goods that make up the building blocks of strong communities.

1) Invest in Community-Based Reconciliation

Nearly half of families J4F surveyed have either personally survived a crime or have a family member who has. Nevertheless, surveyed families who have a crime survivor in their family were actually more likely to support alternatives to incarceration and detention. This suggests that families who have experienced crime are especially attuned to how the current youth legal system makes bad situations worse and, more often than not, does more harm than good.

A new youth justice system would begin with the recognition that within each family there are victims and offenders and that harm is caused by violence in communities but also by the violence on communities wrought by failed justice strategies. This trauma-informed approach would bolster justice strategies that draw their power from the resiliency inherent in families and communities and see these communities as assets rather than “trouble-spots” or “hot-spots.” It would also recognize the trauma that young people and their families experience and structure interventions accordingly. Many “restorative justice” models apply these principles with proven results in cases involving both low-level and the most serious crimes.

2) Invest in the Building Blocks of Safe Communities

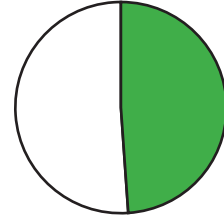
Roughly one in three families reported being told by a teacher, service provider, child welfare officer, etc. that if they wanted to get help for a family member, they should call the police. Focus groups participants described their difficulty in getting institutions unaffiliated with the criminal justice system to intervene in their children's lives. In J4F focus groups, families described addressing the scarcity of, and critical need for, educational, recreational, and employment opportunities for themselves and their loved ones as a principal strategy in achieving community safety. Other research showing the provision of basic needs and social goods such as education, employment, affordable housing, and drug treatment as positively associated with increased public safety confirms their analysis.

Reversing the misguided incarceration epidemic would provide the funds to make these investments. Youth, families, and others have led important—if still nascent—campaigns to secure this kind of “justice reinvestment.” But much work remains to be done.

Justice for Families Blueprint for Youth Justice Transformation summarizes the critical next steps and long-term changes necessary to build safe and prosperous communities.

“Instead of arresting the youth, they should do something positive. So many of the youth are locked up for very petty things. Instead of locking them up, try to have them do more positive things with their life.”

—Youth, Massachusetts



Nearly half of the families J4F surveyed either personally survived a crime or had a family member who had.

Surveyed families who have a crime survivor in their family were actually more likely to support alternatives to incarceration and detention.

JUSTICE FOR FAMILIES BLUEPRINT FOR YOUTH JUSTICE TRANSFORMATION

Justice for Families (J4F) is a national alliance of local organizations working to transform families from victims of the prison epidemic to leaders of the movement for fairness and opportunity for all youth. We are founded and run by parents and families who have experienced “the system” directly with our own children (often the survivors of crime themselves). This is our blueprint toward a family-driven, trauma-informed youth justice system.

STOP LOCKING OUT FAMILIES

In School:

- Notify parents when a suspension or expulsion of a student is being considered and inform them of the date of the suspension or expulsion hearing
- Support family involvement and participation in school disciplinary hearings, and discussions over remedies
- Inform students and families of their rights

Upon Arrest

- Notify families immediately in the event of an arrest
- Notify families where a youth is being detained
- Prohibit questioning of youth by police prior to parent or guardian notification and consultation with their child
- Offer the support of an ombudsperson or other neutral party with whom families can file complaints of police maltreatment

Prior to Court

- Establish public defender meetings with families prior to court hearings as a jurisdictional best practice
- Allow families to discuss their child’s case with probation staff, and to participate in discussions over what treatment, incentives/sanctions, supervision, or service plan will be recommended to the judge
- Provide families with a clear and detailed orientation to the language and procedures of the court process, as well as ongoing counseling/support to answer families’ questions and address their concerns. This support should be delivered via peer counseling from other parents/family members that have experienced the juvenile justice system

- Provide assistance to help the family retrieve their child from juvenile hall if transportation or childcare difficulties interfere

At Court

- Provide families an opportunity to speak
- Provide families with a limited time window during which their case will be heard
- Allow families to say goodbye to their loved ones when a youth is sent to a residential placement
- Create a ‘jury duty’-like public service provision excusing families from work duties for important cases involving family members

During Probation Supervision

- Provide families frequent outreach from probation officers to keep parents/families informed of their child’s progress
- Notify families immediately if their child begins to violate terms of probation or misbehave in other ways (missed school, failed drug test, violated curfew, skipped required appointments, etc)
- Involve families in discussions and decisions about how best to support youth success
- Work with families to introduce incentives for compliance with probation terms and not just sanctions
- Offer services at hours that correspond with the schedules of working families.

While in Confinement

- Place youth within easy travel distance of their families and communities to facilitate connection and support
- Provide flexible visitation hours and transportation assistance
- End the use of visits as a form of discipline or deprivation
- Expand visitation rules to allow anyone in a youth’s community of care to visit, including extended, and informal family members
- Encourage frequent and flexible phone access to youth, at reasonable (not inflated) cost. End the use of familial phone access as a form of discipline or deprivation
- Consult and involve families in the treatment and education of their loved ones
- Notify families within twenty-four hours

of the death, suicide attempt, or serious injury of a family member

- Consult with and notify families prior to the transfer of a loved one to another youth facility
- In the few cases where confinement is deemed necessary by system officials, house youth in small, home-like environments near their home communities that focus on therapy, counseling, and education

After Release From Placement

- Provide families with sufficient notice to prepare for the release of their child from a placement
- Consult and involve families in post-release planning
- Provide families with support to ensure that youth are able to re-enroll in school, continue any necessary counseling services, and identify employment opportunities

START BUILDING IN FAMILY LEADERSHIP

- Provide families with peer support/family partners who can help them navigate unfamiliar school, arrest, court, probation, and placement rules’
- Issue standards on the fair treatment of families with juvenile justice systems including how to most effectively support families’ active participation and leadership in the design of youth justice systems
- Involve families in all important decision making points within school disciplinary and youth justice systems. To that end, governments should support and promote family group conferencing models where families and communities are empowered to develop solutions that support the needs of children, while enhancing community safety
- Ensure families and youth are represented in all major youth justice policy-making bodies and facility oversight/monitoring boards. Care should be taken to ensure that these representatives are connected to community-based organizations that can support them in this leadership role
- Governments should work with the private sector, philanthropists and others to support parent/family advocacy organizations

JUSTICE FOR FAMILIES BLUEPRINT FOR YOUTH JUSTICE TRANSFORMATION

STOP LOCKING DOWN YOUTH

At School

- Dismantle zero-tolerance approaches, including the criminalization of truancy and substance use and abuse
- Eliminate the criminalization of “defiance” and other vaguely defined offenses that worsen racial disparities in school discipline
- Place a moratorium on out-of-school suspensions and expulsions until the ineffective and racially discriminatory impact of these policies is addressed
- Inform students of their rights

In Communities

- Eliminate intrusive and discriminatory stop-and-frisk tactics by police in low-income communities of color
- Decriminalize drug possession and other ‘quality-of-life’ offenses
- Eliminate labeling youth as criminals on gang databases and injunctions without the due process rights to notification, appeal, removal and resources
- Decriminalize status offenses (daytime and night curfews, homelessness/running away, smoking, etc.)
- Do not include youth on sex offender and other criminal databases that eliminate most opportunities for family and community re-unification, education or employment

In Detention and “Placement”

- Reduce the number of young people, and the number of youth of color in particular, confined in pretrial detention
- Close inherently abusive and dangerous youth prisons and correctional training schools, and treat the smaller number of youth system officials deem as requiring confinement in small community facilities close to their homes
- Develop restorative justice approaches—proven effective even in the most serious cases—as alternatives to the confinement of youth
- End the use of solitary confinement for youth (with the exception of very short periods of separation for the purpose of safety)
- Eliminate the practice of trying and sentencing youth in adult courts, jails, and prisons.
- Ensure that youth return home with

the documents (IDs, social security card or information and resources for undocumented youth as needed, transcripts, test scores and medical records) along with referrals to ensure youth can access all essential services and prevent violation back into confinement

START BUILDING ON YOUTH STRENGTHS

In Schools

- Address developmentally predictable disruptive behaviors in constructive, age-appropriate ways and partner with families to develop strategies to address disruptive behavior
- Invest in positive behavior support and restorative justice approaches that engage youth and families in building safe schools and communities
- Replace school police and probation officers with intervention/peace workers in and around schools, who can also provide safe passage en route to and from school

In Youth Justice Systems

- Align youth justice system practice with a focus on positive youth development and the building of ‘good lives’
- Fund family-focused/youth supportive wraparound programs instead of placing youth in training schools and other residential facilities
- Fund educational, employment, and career development opportunities instead of youth confinement

STOP TEARING APART FAMILIES AND COMMUNITIES

- Eliminate financially burdensome fines, supervision fees, citations, and high-dollar restitution orders for youth misbehavior, detention or incarceration
- Eliminate the bans on federal student loans, public housing, and occupational licensing as result of criminal convictions
- Abolish state rules that allow child support debt to continue accruing for individuals while they are incarcerated, leaving them with impossible debts upon release
- Remove barriers to employment, licensing, and volunteering by banning governments and government contractors from discriminating against potential applicants solely on the basis of their record, unless

there is a very specific, job-related reason to disqualify such applicants

- Repeal laws prohibiting formerly incarcerated people from voting
- Eliminate disparate police surveillance that currently accompanies the provision of government subsidized housing
- End the deportation of youth and parents
- Allow Collective Bargaining and enforce minimum wage standards inside all U.S. prisons

START INVESTING IN FAMILIES AND COMMUNITIES

- Align youth justice systems with principles of restorative justice. Promote restorative justice approaches that empower communities to develop community safety strategies that build on the inherent strength of communities
- Reallocate resources from failed justice strategies toward investments in families and communities that support community safety
- Support post-secondary and vocational education for formerly incarcerated people
- Proactively provide quality, culturally relevant, and affirming education
- Protect people’s—including formerly incarcerated individuals—access and right to stable, affordable housing
- Provide public and private sector incentives for employing formerly incarcerated youth and adults
- Proactively provide and remove barriers to health services—including mental health services—needed by all families, including former or current system-involved youth, adults, and their families
- Invest in reliable and affordable public transportation services, ensuring that communities that rely on public transportation have access to not only schools, work, and services but also detention facilities and prisons
- Provide affordable, quality childcare services to families that need them in order to maintain familial connections with family members living in detention facilities and prisons

* Blue text = Justice for Families Bill of Rights

CALL TO ACTION

This report represents the deep concerns and shared demands, aspirations, and hopes of families across the country. Youth involved in the juvenile justice system are the sons and daughters of restaurant workers, faith leaders, domestic workers, schoolteachers, as well as the grandchildren of civil rights heroes and heroines. These families have connections in their communities to places of worship, unions, parent teacher associations, and other institutions. Yet, too often, low-income families, families of color, and all families who have children in the criminal justice system feel isolated and confused about where to turn. These families are not alone.

This country faces a choice: to continue on the path of community disinvestment and incarceration or to build on family strengths and invest in increasing safety over time; to continue to treat youth and families as objects of punishment and blame or to partner with youth and families in processes of community reconciliation. Most Americans would agree that the latter is the better choice. Now is the time to work together to make it happen.

Calling All Families

If you have a family member—close or distant—who has been involved in the justice system, or if like many of us, you or your loved one survived a crime but you don't believe that the current system works to secure greater community safety, there are lots of things you can do:

- Join Justice for Families or one of our local partners
- Start your own network of families and link to our work and the work of other advocates and organizers
- Sign and promote our Justice for Families Bill of Rights

Calling All Juvenile Justice Professionals

If you are a judge, public defender, prosecutor, probation officer, or an academic, you may or may not agree with all of what we are outlining. But, if you agree there is a need for greater family leadership and agency in creating a more effective justice system, we need your help:

- Endorse and promote our Justice for Families Bill of Rights
- Act as a spokesperson for family-driven/trauma-informed approaches to youth justice
- Partner with families and support the leadership of families within juvenile justice policymaking circles
- Work with families and community-based organizations to establish peer-support programs in your jurisdiction
- Ask your colleagues, "Have we talked to youth and families about this decision?"

Calling All Policymakers

If you are a policymaker in the halls of Congress or a locally-elected official, we want your support. The laws governing juvenile justice systems have served to limit the opportunities of young people and reinforce structural inequity. A first step to reverse these trends is to work with us to advance our J4F Bill of Rights at all levels of government. You can also:

- Endorse and champion our Justice for Families Bill of Rights
- Partner with families to draft legislation in line with family-driven/trauma-informed approaches to youth justice
- Partner with Justice for Families and its allies to advance justice reinvestment

Calling All Allies

If you are a business, labor, civil rights, or faith leader or any other kind of engaged person, we want to work together. Have you ever wondered where our community resources have gone? Too many of them are directed toward supporting locking up young people and locking out their families. Let's work together to advance justice reinvestment:

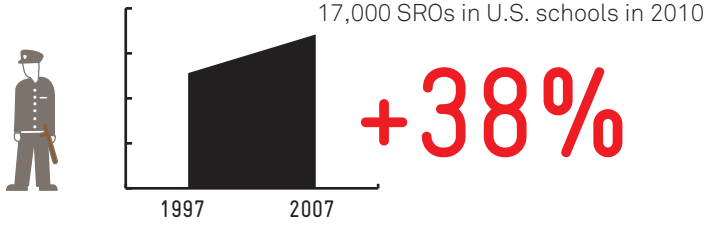
- Endorse our Justice for Families Bill of Rights
- Promote our Justice for Families Bill of Rights
- Partner with us to identify justice reinvestment campaigns so that we can support public education, affordable health-care, and other building blocks of thriving communities

Let's work together to build safer and more prosperous communities for all.

FROM SCHOOL TO PRISON

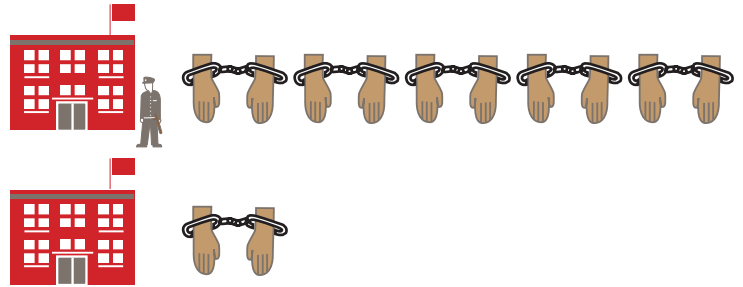


SCHOOLS ARE INCREASINGLY POLICED



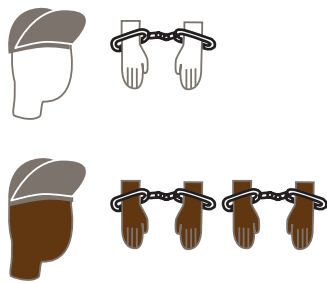
Fueled by increasingly punitive approaches to student behavior such as 'zero tolerance' policies, the past 20 years have seen an expansion in the presence of law enforcement, including school resource officers (SROs), in schools. According to the U.S. Department of Justice, the number of school resource officers increased 38 percent between 1997 and 2007.

Even when controlling for school poverty, schools with a School Resource Officer (SRO) had nearly five times the rate of **arrests** for disorderly conduct as schools without an SRO.

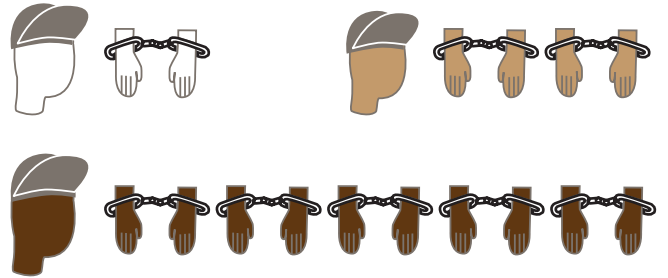


Yet, the prevalence of SROs in schools has little relationship to reported **crime rates**.

Schools with more students of color are more likely to have zero tolerance policies resulting in suspensions & expulsions



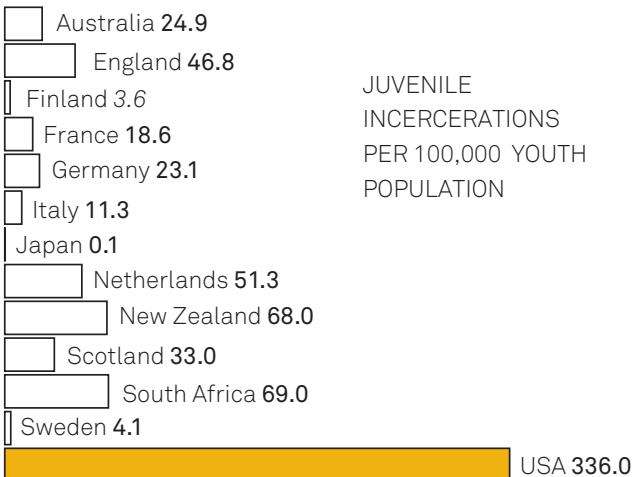
Although White youth report carrying weapons to school at slightly higher rates than Black youth, Black youth are more than twice as likely to be arrested for weapons possession.



Although White youth, Black youth, and Latino youth report using drugs at similar rates, Black youth are detained for drug offenses at almost five times the rate of White youth and Latino youth are detained at twice the rate of White youth.



THE U.S. HAS THE HIGHEST YOUTH INCARCERATION RATE IN THE WORLD



JUVENILE INCARCERATIONS PER 100,000 YOUTH POPULATION

68% of all Males in state and federal prison do not have a high school diploma



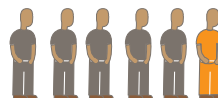
We spend approximately **\$88,000** per year per youth in a **juvenile corrections facility**



And spend on average **\$10,615** per year per student in a **school**



1 in 33 American adults is under correctional control



1 out of 6 Latino Males will be incarcerated in his lifetime



1 out of 3 African-American Males will be incarcerated in his lifetime



1 in 8 state employees works in corrections

WHY SHOULD YOU READ THIS REPORT?

“This new report is essential reading for those interested in reforming the juvenile justice system. It documents the challenges faced by families of incarcerated youth and how they can be a force of change. From the early 20th century in California to current efforts across the country, families have courageously held public systems accountable and have launched progressive reforms.”

–Barry Krisberg, Director of Research and Policy, and Lecturer in Residence Chief Justice Earl Warren Institute on Law and Social Policy University of California, Berkeley School of Law

“This report provides powerful analysis and insights from voices too often ignored in the formal youth justice system. It rejects the notion that parents are often to blame for youthful misbehaviors and provides specific approaches to involving parents and families in responses that are equitable, restorative and effective.”

–James Bell, Founder and Executive Director, W. Haywood Burns Institute, San Francisco, CA

“This report is a wake-up call to juvenile justice practitioners. Through the words and experiences of relatives of court-involved youth, it poignantly highlights how the system’s policies and practices undermine the ambitions of families to guide and support their children and to make their communities safer.”

–Bart Lubow, Director of Annie E. Casey Foundation’s Juvenile Justice Strategy Group

“For far too long, the voices of families have been missing from the discourse on juvenile justice policy. This report is an important milestone in ensuring those voices are heard.”

–Patrick McCarthy, President and Chief Executive Officer, Annie E. Casey Foundation

Justice for Families
900 Alice St. Suite 400 Oakland, CA 94607
510.268.6941 f: 510.986.1062
www.justice4families.org