FAMILIES UNLOCKING FUTURES:
SOLUTIONS TO THE CRISIS IN JUVENILE JUSTICE

A REPORT BY JUSTICE FOR FAMILIES WITH RESEARCH SUPPORT BY DATACENTER

SEPTEMBER 2012

RESEARCH TEAM

This report was a collaborative effort by several grassroots organizations and two resource organizations, which provided research, policy, and writing support for this project. All participating grassroots organizations are members of Justice for Families, a national alliance of membership-based organizations and allies organizing to build a united response to the crisis in juvenile justice across the country.

RESOURCE ORGANIZATIONS

Justice for Families

Zachary Norris and Grace Bauer, Co-Directors

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. J4F is building a national bipartisan movement for justice reinvestment—the reallocation of government resources away from mass incarceration and toward investment in families and communities.

DataCenter

Christine Schweidler and Saba Waheed

DataCenter is a national, 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.

Top cover photo courtesy of Spirit House/ Erin Bree

Bottom cover photo courtesy of Richard Ross

PARTICIPATING ORGANIZATIONS

Center for Community Alternatives
Rukia Lumumba, Delores Moody
The Center for Community Alternatives (CCA) is a leader in the field of community-based alternatives to incarceration. Our mission is to promote reintegrative justice and a reduced reliance on incarceration through advocacy, services, and public policy development in pursuit of civil and human rights.

Citizens for Second Chances
Ethan Ashley, Kelly Orians
Citizens for Second Chances (CFSC) is a group of family members, loved ones, and professionals dedicated to giving hope to children and youth incarcerated for life. CFSC is a project of the Juvenile Justice Project of Louisiana.

Community Connections for Youth
Jeanette BocaNegra, Ruben Austria, Patricia Barry
Community Connections for Youth (CCFY) is a Bronx-based community organization with a mission to empower grassroots faith and neighborhood organizations to develop effective community-based alternative-to-incarceration (ATI) programs for youth.

Community Rights Campaign
Barbara Lott Holland, Manuel Criollo, Patrisse Cullors
The Community Rights Campaign, a project of the Labor Community Strategy Center, organizes among Los Angeles's high schools students and 500,000 low-income bus riders to build campaigns to push back the growing police/prison state and push forward an expanded social welfare state.

Families & Allies of Virginia's Youth
Liane Rozzell, Almeda Harrington
Families & Allies of Virginia's Youth (FAVY) is a diverse group of people who care deeply about youth in Virginia's justice system. We support and empower families of youth in the justice system, and we advocate for a justice system that gives youth a better chance to become successful adults.

Families and Friends of Louisiana's Incarcerated Children
Ernest Johnson, Connie Walton, Gina Womack
Families and Friends of Louisiana's Incarcerated Children (FFLIC) is a statewide membership-based organization that fights for a better life for all of Louisiana's youth, especially those involved in, or targeted by, the juvenile justice system.

Books Not Bars
Owen Li, Sumayyah Waheed, Laura Brady, Debra Mendoza
Books Not Bars, a campaign of the Ella Baker Center for Human Rights, organizes families of prisoners from across California to champion alternatives to California's abusive and costly youth and adult prison systems.

Families Organized for Reform of Juvenile Justice
Tracy McClard
Families Organized for Reform of Juvenile Justice (FORJ-MO), the first parent-led juvenile justice reform organization in Missouri, educates lawmakers and the public on the dangers of trying youth as adults and recommends alternatives to keep our children and communities safe.

New Jersey Collaborative
Tracey Wells-Huggins, Jason Huggins
The New Jersey Collaborative is a coalition of groups in New Jersey including Renewed Minds, the Statewide Parents Advocate Network, Parents Anonymous, and the New Jersey Alliance of Family Support Organizations.

Spirit House
Nia Wilson, Racheal Derello
A Durham, North Carolina-based cultural organizing collective, Spirit House has worked with community members to uncover and uproot the systemic barriers that prevent them from gaining the resources, leverage, and capacity necessary for long-term self-sufficiency.

Texas Families of Incarcerated Youth
Tarsha Jackson, Winnifred Curry
Texas Families of Incarcerated Youth (TFIY) is a network comprised of family members of youth currently or formerly incarcerated in the Texas Youth Commission. TFIY's mission is to offer support and information to families, and advocate as a unified voice for systemic change for families of incarcerated youth.

Youth Justice Coalition
Kim McGill, Danae Tapia, Tanisha Denard
The Youth Justice Coalition (YJC) is working to build a movement to challenge race, gender, and class inequality in Los Angeles County's and California's juvenile injustice system. The YJC is working to transform a system that has ensured the massive lock-up of people of color; widespread police violence, corruption, and distrust between police and communities; disregard of youth and communities' constitutional and human rights; the construction of a school-to-jail track; and the build-up of the world's largest prison system. The YJC uses direct action organizing, advocacy, political education, activist arts and transformative justice to mobilize youth and families —both in the community and within lock-ups—to bring about change.

DEDICATION

This report is dedicated to our children who were denied justice, those that survived and those that didn't, and to all of the young people and families who have the courage to believe in change.

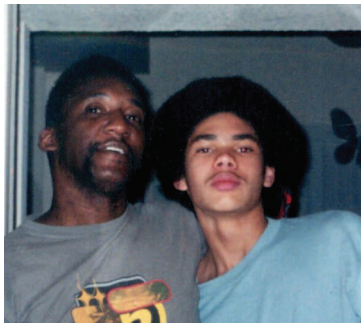
IN LOVING MEMORY


Deon Whitfield
August 23, 1986—January 19, 2004

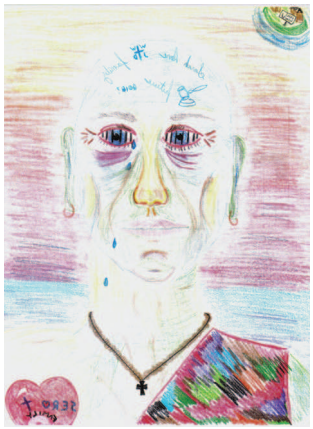

Jonathan McClard
January 1, 1991—January 4, 2008

Jonathan's brother and sister writing his name in the sand where they spread his ashes, after all hope was stolen and he took his own life at the age of 17. Myrtle Beach, South Carolina 2008

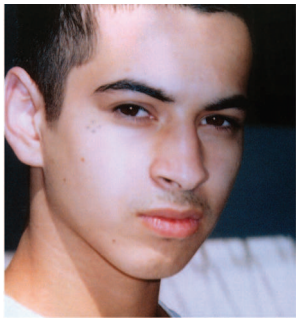
"We must stop this madness of locking children up in cages. Dare we begin to think beyond failed 'tough on crime' rhetoric and implement proven solutions for our most precious resource, our children." —Tracy McClard, Jonathan's mother

Durrell Feaster
October 24, 1985—January 19, 2004

The self portrait above was done by **Kirk Gunderson**, shortly after he was incarcerated at the age of 17 in an adult jail. The second, at right, was sketched by Kirk just weeks before he took his own life in a jail cell. "It has been said that we will judged, as a society, by how we treat our children. If this is the case, we should hope that we are not judged by how we took care of Kirk." —Vicky Gunderson, Kirk's mother

Joseph Maldonado
October 2, 1986—August 31, 2005

CONTENTS

FOREWORD

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.

"Families Unlocking Futures: Solutions to the Crisis in Juvenile Justice" introduces the informed and heartfelt perspective of families, the parents, and other relatives who are uniquely affected by the systems that can determine the future of their children. We cannot afford to ignore their valuable insight any longer. Routinely, families are dismissed as spectators, at best, while judges, prosecutors, probation officers, and public defenders determine the fate of young people who enter the juvenile justice system. This report spells out how the professionals who turn the wheels of juvenile systems can learn from the experiences and thoughts of families, and how they can include them as active participants and partners.

Juvenile justice systems were established more than a century ago because there was broad recognition even then that children must be treated differently than adults. In recent years, neuroscience and developmental research have helped us recognize the many ways that the human brain is still developing throughout adolescence, and that the capacities for judgment, empathy, and impulse control are not fully formed until early adulthood. As a result, adolescent misbehavior and risk-taking are common, rather than unusual; most adults report behavior as teens that could have led to arrest, while very few commit crimes as adults.

Even in cases of fairly serious acts of delinquency, most youth can be safely helped to find a path to a more promising future, given the opportunity and effective community and family based interventions. And decades of research confirm that locking up kids charged with crimes for normal adolescent behavior or schoolyard fights is an utterly bankrupt approach, contributing to higher probabilities of more serious delinquency, thereby failing to either protect the community or improve the well-being and life chances of children.

When children are incarcerated, we increase the risk of putting them on a path to adult crime. Our overreliance on locked institutions exposes young people to violence, increases the odds that they themselves will be subjected to violence, and deprives them of a decent education and other meaningful activities that contribute to healthy development. And we waste taxpayer dollars by throwing too much money at a system that just doesn't work.

It should be clear that states and communities across our nation need to change policy. It should be obvious that we must find effective alternatives to the institutionalization of children, by working to embed effective, evidence-informed practice and programs in juvenile justice systems. Just as obvious, we cannot find better solutions for children without listening to their families. The stories in this report illustrate how our current approach tears families apart. Rather than helping families, today's juvenile justice systems increase their mental and emotional strain, and shunt them aside, rather than enlisting them as key members of the team.

This report adds greatly to our understanding of the impact of our current practices, exposing those practices as ill-conceived, visceral, simplistic responses to complex issues. Let's listen to these voices—and then recommit to true partnership with families. Together, we can create a more thoughtful, a more humane, and a more effective juvenile justice system.

—Patrick McCarthy, President and Chief Executive Office, The Annie E. Casey Foundation

Photo courtesy of
Richard Ross

INTRODUCTION:
WALKING IN ANOTHER MOTHER'S SHOES

This isn't your average policy report. It's different because we—the authors—are not your average report writers and the data we present is unique. For us, the issues of youth crime and juvenile justice are not only social, political, and economic—they are also very personal. For us, the personal is political. We are the parents of the boys and girls involved in the youth justice system; the aunts, uncles and grandparents. These are our children we're talking about. Therefore, before we start discussing policies and programs, state finances and services, we ask you to look at juvenile justice from our perspective.

Imagine that you must navigate the often-nonsensical maze of the juvenile justice system and endure routine marginalization at the hands of juvenile courts and corrections agencies. Imagine also that your child has been pushed out of school and swept up into a so-called justice system that frequently subjects youth to violence, harmful treatment, and isolation. Consider a few examples.

What would you do if your child was issued a court citation and fined hundreds of dollars for coming late to school... even if she arrived only five minutes late and her tardiness was due only to the bus being late?

What would you do if your child was arrested for a serious crime he swears he did not commit, but the attorney appointed to represent your child refused to answer your phone calls for more than two months and only met you and your child five minutes before the court hearing was to begin?

What would you do if your diabetic child was taken into custody in a local juvenile detention center, and the staff would not listen as you tried to inform them that your boy might go into shock at any moment if he's not fed frequently and provided insulin?

What would you do if your child was shipped off to a "treatment center" after being caught stealing a stereo, and you learned shortly thereafter that he and other youth in the facility were beaten regularly by guards, and received no educational opportunities or mental health services?

None of the situations above are hypothetical or isolated occurrences. Each has befallen at least one child and family in recent times, and they reflect common practices and conditions in today's juvenile justice systems. As this report will document, children who become involved in the juvenile justice system—or with the disciplinary systems in their own schools—are routinely treated in ways that defy common sense, common decency, and established research. Meanwhile we, the families of these children, are routinely dismissed as government authorities make unilateral decisions that often inflict profound and lasting damage on the well-being of our children.

This report is written with the intention of making sure our and our children's stories are heard and to dissuade all those who would "save our children" from us. When young people become involved in the juvenile justice system, too often they are treated as if they don't come from a family or community, or as if their family and community are the problem. The approach of systems and system personnel has alternated between "treating children" and "punishing children," often with the intention of "saving children" from their families and communities. This is the wrong approach for several reasons.
First, the save-the-child approach tends to portray children as objects of intervention rather than people with a capacity to learn from adults and each other. This approach also ignores a child's ability to inform and teach adults about what changes need to be made in systems designed to support them.

The second reason that the save-the-child approach doesn't make sense—and this is very important to us as the authors—is that our families are NOT dysfunctional. There is a distinct minority of families that are abusive toward their children, but they are just that—a distinct minority.

The majority of youth make mistakes that amount to delinquent acts during their adolescence and the majority grow out of these behaviors on their own.[1] Involving youth in the justice system disrupts this aging out process. Prior commitment in a youth facility is twenty-six times a greater predictor of recidivism than "poor parental relationship."[2] Yes, our children make mistakes. But if a mistake made by an adolescent child were a measure of dysfunction, then most families would be so judged. Children involved in the justice system don't need to be saved from their families. Youth and families need to be supported so they can succeed.

Third, context matters. The vast majority of youth involved in the juvenile justice system come from low-income communities and communities of color. In the United States, more than 2.3 million people are in prison or jail and about 5.1 million people are on probation or parole. Every year, over 735,000 people are released from U.S. prisons, and more than 12 million are released from jails.[3] Federal, state, and local governments are spending a combined $68 billion a year on the nation's law enforcement and corrections system. Funding for corrections has increased more than two and a half times the rate of education and libraries in the last thirty years.[4] This context shapes the reality of low-income youth and youth of color across the country.

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.

The current fiscal crisis is driving a re-examination of both youth and adult justice policies, while general rates of serious youth crime remain at record lows.[5] More people are recognizing that it is time for a change. But only a particular kind of change will do.

Juvenile justice reform cannot be successful unless it is connected to larger efforts to reshape our priorities as a nation toward greater racial and economic justice. Juvenile justice reform cannot be successful if youth and families are not leaders in these efforts. As election cycles, economic climates, and youth crime rates change, advocates for punitive approaches will again use a small number of "community representatives" to drown out family and community members who understand the long-term impacts of so-called tough-on-crime policies.

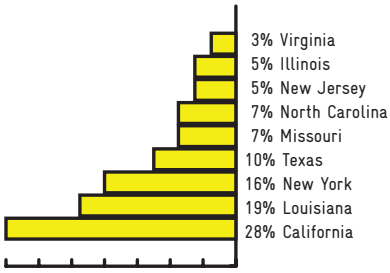
That is why we formed Justice for Families, and why families are publishing this report. J4F is building a national bipartisan movement for justice reinvestment—the reallocation of government resources away from mass incarceration and toward investment in youth, families, and communities. It is through this reinvestment that we can make strides toward achieving genuine public safety in all communities.

Justice for Families is comprised of families who share these aims, and even more so, share a love for their children and a hope for the future of this country. It is in this spirit that we publish this report.

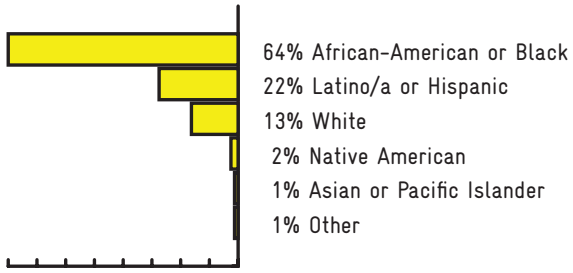
DEMOGRAPHICS OF SURVEY RESPONDENTS

1039 families participated in the national surveys, from 8 states across the country, and from more than 20 cities.

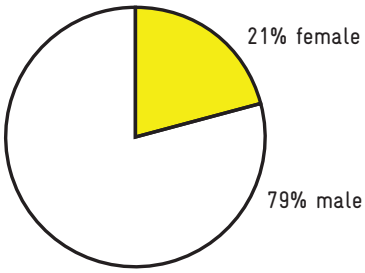
The median family size of survey participants was 4 family members.



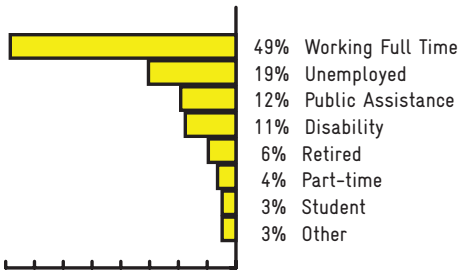
Participation in the survey, by state



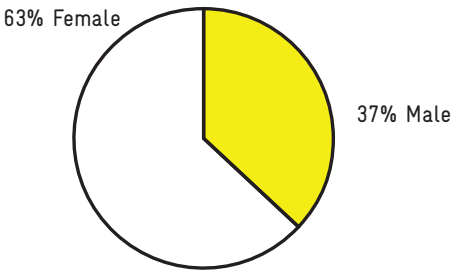
Race/ethnicity of survey participants



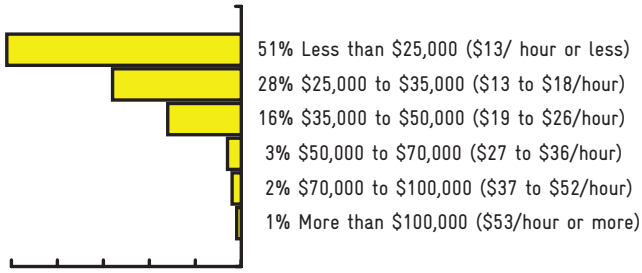
Gender of system-involved youth



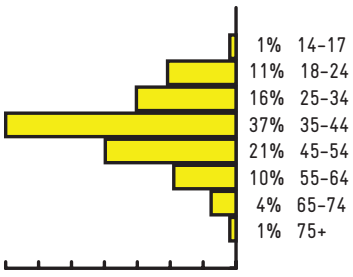
Employment status of survey participant



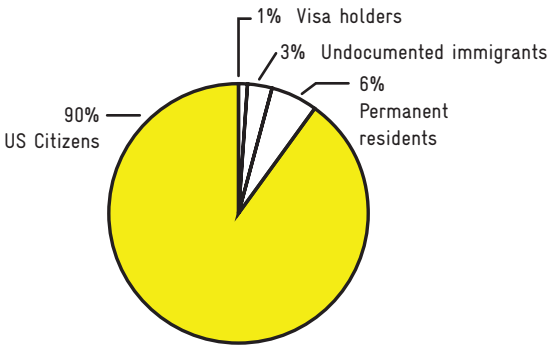
Gender of survey participants



Family income of survey participants



Age of survey participants



Immigration status of survey participants

ABOUT THE AUTHORS

Unlike most policy publications, we open this report with both an introductory discussion as well as a personal introduction to the authors—the families of juvenile justice system-involved youth. In response to our research, families overwhelming agreed on the following statements:

We love our children, want what is best for them, and want to be directly involved in their care and treatment. The vast majority of parents and family members—more than 85 percent of us—said that we want to be more involved in decisions about our children's care, and in the treatment and counseling process. Sometimes, we reach out for help. However, we are not looking for the court or the government to assume control of our children's lives, to supplant us as parents, or take our children away.

The vast majority of us are people of color, low-income, or most often both. And the majority of us are women. Of the more than 1,000 family members included in our survey, 63 percent identified as African American and 22 percent as Latino—just 12.5 percent were white. In terms of income, half of all survey participants reported family income of $25,000 or less. Just 6 percent of families with children in the juvenile justice system who participated in our survey earned $50,000 per year or more, the national median income. Sixty-three percent of survey participants identified as women. These statistics reveal a fundamental characteristic of our nation's juvenile justice systems: they are structured and designed primarily to prosecute and punish low-income children, and in particular, low-income children of color. Our research also demonstrates that it is women, and women of color in particular, who are primarily confronting the family-exclusionary policies of juvenile justice systems.

We care deeply about the safety of our communities. Families of incarcerated and court-involved youth will be the first to agree that children who do something wrong need to have clear and appropriate consequences, especially since nearly half of our families surveyed have either personally survived a crime or have a family member who has. But research also shows that locking children up in adult and adult-like prisons and jails puts them at grave risk, increasing their chance of being violently abused or locked up again, and ultimately decreases the safety of our communities. In most communities, system-involved families and the communities most heavily impacted by incarceration are the same communities most impacted by violence. While the most prominent victims' rights voices come from white middle and upper class communities, they do not represent the overwhelming majority of crime victims who are low-income and people of color. Our visions for change come from a deep understanding of how violence impacts people, how best to prevent future harm, and how all impacted can heal.

Our families are hardworking, with strong roots in our communities. Over two-thirds of family members surveyed are active in at least one church or civic organization in their communities: Sixty-three percent belong to a church or other religious congregation, 18 percent are involved in their local PTA, and 13 percent belong to a union. Many belong to other civic organizations ranging from a reading club for local children, to the Girl Scouts, to the NAACP. And many participate actively in parent/family groups supporting reform and peer advocacy in the youth justice system. Even in this economic crisis, which takes a heavier toll on communities of color, 70 percent of family members participating in the Justice for Families survey are either working full-time (49 percent), working part-time (4 percent), are disabled (11 percent), or are retired (6 percent). Eleven percent rely on public assistance.

The mass media is not adequately portraying our families. When we reviewed hundreds of articles that discussed juvenile justice and families, we found that families of incarcerated youth are overwhelmingly portrayed as part of the problem, if not the outright cause of youth delinquency.

The love we feel for our children, the advocacy that becomes a part of our daily lives in engaging the system to support our loved ones, and the toll on our families and communities were very rarely discussed in the articles we reviewed. Despite what we found in the media review, we know we are strong families. Our research and findings offer a direct challenge to the media's harmful narratives, and instead insert the voices and expertise of affected families who offer their own energy and proffer critically needed transformative family- and community-centered solutions.

JUVENILE JUSTICE SYSTEMS LOCK DOWN YOUTH, LOCK OUT FAMILIES, AND DESTABILIZE COMMUNITIES

Juvenile justice systems increasingly lock down youth, lock out families, and devastate communities. In describing this reality, the intention is not to shift blame from youth and their families to the professionals who work in juvenile justice systems, but to demonstrate how systemic policies and procedures shape outcomes as well as the possibilities for individual action.

Although families expressed deep frustration with the actions of professionals within the juvenile justice system in focus groups, they also recognized the tremendous caseloads and inflexible rules that tie the hands of many a well-intentioned judge, probation officer, or attorney. They also recognized the poor preparation and compensation provided to many of those employed in the direct oversight of youth in detention systems and prisons.

By identifying how youth, families, and entire communities are impacted by the system as it is currently structured, this chapter lays the groundwork for collaborative efforts to achieve lasting change.

I. JUVENILE JUSTICE SYSTEMS LOCK DOWN CHILDREN AND LOCK OUT FAMILIES

Photo courtesy of Richard Ross

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

—Parent, New York

All children need to be nurtured and guided into adulthood: it is an investment in their future and an investment in the security of our communities. Yet, juvenile justice systems in the United States set up far too many youth for failure. Zero-tolerance policies push children out of schools with alarming frequency. Youth arrests for minor misbehavior have risen dramatically over the past two decades.[6] This is true despite declining overall rates of serious youth crimes. Once youth are inside the system, the lion's share of resources are allocated toward locking them

up. Most of the money spent on youth inside the justice system funds correctional confinement which costs states, on average, $240.99 per day and consumes approximately $5.7 billion per year nationwide.[7] The "community component" of juvenile justice is dominated by probation, which in most jurisdictions is geared primarily toward risk management and surveillance—detecting youths' misbehavior—with far less emphasis put on helping young people stay in school, develop job skills, and acquire other building blocks for a successful life. Funding for counseling and positive skill development is notoriously scarce.

At every stage of the juvenile justice system—from schools,[8] to arrest,[9] to courts,[10] to probation,[11] to youth imprisonment[12] —youth of color face unconscious bias on the part of the professionals in these systems. This unconscious bias, coupled with structural inequity, drives disproportionate numbers of youth of color into the system.[13]

The primary problems with the current framework are two-fold: (1) Incarceration doesn't work, as evidenced by recidivism rates[14] and a long record of chronic and shameful abuses; and (2) by and large, probation and other forms of risk management do not help youth succeed in the long-term.[15] This framework results in poor results for individual youth, enormous sums of tax money squandered, and devastating impacts on entire low-income communities of color.

At every stage of the juvenile justice system, when critical decisions are being made about how a young person will be treated, families are either excluded outright or not provided with the information or tools necessary to actively participate in proceedings dominated by legalese and jargon. Where families try to participate, they are far too often disrespected, disregarded, and blamed for their child's involvement in the system. Making matters worse, youth themselves are similarly excluded from the decision-making process. These barriers to participation frustrate parents and family members at every stage of the juvenile justice process.

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

—Parent, Missouri

PROFILES IN COURAGE
JEANNETTE BOCANEGRA

My son was in his first year of high school when I noticed that he was no longer going to school on time. There was something that was not quite right. I went to his teachers and administrators, hoping to transfer him to another school. The school took no action, but assured me that he was going to be okay.

One day, he and another kid stopped a younger student in the hallway and asked him for a little money. The school called the police and immediately suspended my son. The school administration realized that his role in the incident did not warrant suspension, but as the police were already involved, he was placed on probation.

When I met the probation officer I told him, "I need you to make sure he gets to school early, that he goes to an afterschool program, and that he also enrolls in an afterschool activity." I didn't realize that by requesting those services I was digging my son's grave. The services I hoped to provide my son became mandatory stipulations of his probation. When he did not meet all of those requirements, he was sent to a facility upstate for "violating."

The brochure made the place look like a college campus. I was excited for my son to learn so many wonderful things from people who cared about helping him. It turned out to be the exact opposite. My son would call me, too scared to tell me everything that happened there. By the time he came home, he had changed. He would no longer even hug me. They had taken my son away from me and locked him in this place that had turned him in to a young man I hardly recognized.

I was lost. My son was angry, I was confused, and there was no one I could turn to for help. I felt I had failed as a parent, despite all the incredible achievements of my son and his siblings. That was when I met the co-founders of Community Connections for Youth, Ruben Austria and Nanay Gonzalez. They listened to my story, and helped me understand what had happened. I became informed about the policies that had trapped my son and my family in a downward spiral of system involvement.

I worked in education for years, advocating for and organizing parents of children in the public school system. I decided to apply my experience instead to reach out to families that needed my help even more—those with juvenile justice system-involved sons and daughters. Now I am able to support families and youth that have faced the same frustration, fear, anger, and confusion that I have. These families know they are not alone in confronting a system that tries to paint them as dysfunctional. We are able to give a voice to the communities whose children are being stolen by this system and demand change.

LOCKED DOWN/LOCKED OUT: SCHOOLS

The "school to prison pipeline" describes the national trend toward pushing children out of school, especially those from low-income communities of color, and into the criminal justice system. A number of factors play into this phenomenon including: (1) zero-tolerance policies that impose severe discipline on children including suspensions, expulsions, and arrests that take children out of school; (2) excessive policing by police poorly trained to deal with adolescent misbehavior instead of disciplining by teachers and school administrators in collaboration with youth

and their families; (3) resource diversion, whereby scarce funds that could be spent on poorly resourced schools are instead spent on security systems and personnel; (4) unequal sentencing of youth of color in comparison to their white counterparts[16] ; and (5) high stakes testing under the No Child Left Behind Act of 2001, which imposes harsh sanctions on already under-resourced poor-performing schools.[17]

Nationwide, the number of school suspensions has doubled since the 1970s[18] and the number of school-based law enforcement personnel has grown 38 percent between 1997 and 2007[19]. Two-thirds of students ages twelve to fifteen now go to schools where security guards or police patrol the hallways.[20] That's one of the reasons why vast numbers of children, especially children of color, are being arrested at school for typical adolescent behavior—mischief, defiance, or ordinary schoolyard fights with no weapons or serious injury.

Nearly one in three families surveyed reported that their child's first arrest took place at school. In focus groups, families said that schools are imposing harsh consequences on their children, often for minor issues, without their input.

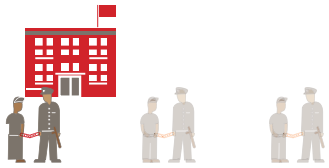
Focus group participants described how one relatively minor act or an accumulation of minor acts can result in justice system involvement. "My son got in trouble when he was ten years old, and the referral was coming from school. They were ticketing him, and those tickets got him involved in the juvenile justice system. Anytime he got in trouble, they'd extend his probation," said a parent from Houston, Texas.

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 often accessing services, rather than being seen as a positive act, 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.

The zero-tolerance policies embraced by schools nationwide over the past two decades cause serious damage to children, disproportionately impact youth of color, and achieve no useful aim.[21] Schools should work with families to keep youth in schools, and keep them out of the juvenile justice system.

"... They are pouring more and more money into the incarceration institutions than they are in the educational system. So you're finding your youth coming out of failure factories. These schools are drop out factories. Teaching is a hard job and it's not made easy for the teachers. ... Some of the schools are becoming like little mini-prisons, preparing the youth for the next thing—juvenile hall, ranches, YA's [Youth Prisons]."

—Parent, California



Nearly one in three families surveyed reported that their child's first arrest took place at school.

LOCKED DOWN/LOCKED OUT: ARREST

Photo courtesy of Richard Ross

The growing trend toward criminalizing adolescent misbehavior is especially severe in low-income communities of color.[22]

Aggressive stop-and-frisk tactics employed by big city police departments drive these disparities. In New York City, for instance, the number of people stopped by police has grown seven-fold from 2002 to 2011. More than half of the 685,000 individuals stopped by New York City police in 2011 were aged fourteen to twenty-four, and 87 percent were Black or Latino.[23] Just 12 percent of these stops resulted in any arrest or summons—illustrating that police often stop and frisk youth with little or no evidence of possible wrong-doing. Families in focus groups across the country described how police tactics like these impact their children on a daily basis: "He was always being stopped for walking while black. He had dreadlocks. So we had talk him into cutting off the locks and it helped a little bit. He didn't get stopped as much," said one parent from Oakland, California.

The bar for what constitutes wrong-doing seems to fall progressively lower, especially for low-income children and children of color. Hundreds of thousands of adolescent children are arrested each year for mischief or youthful disobedience rather than significant crimes.[24] Racial disparities in sentencing are most extreme for these minor crimes.[25] In fact, the number of young people sent to juvenile court for minor offenses has risen in recent times.

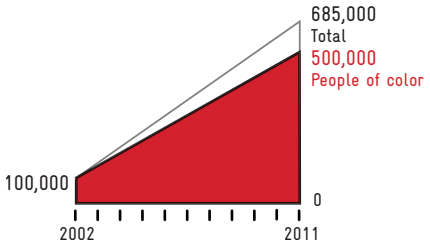
A number of low-level offenses, such as disorderly conduct, vandalism, trespassing, obstruction of justice, simple assaults (i.e. fighting), and liquor law violations, saw far more youth prosecuted in 2008 than 1993. As one parent from New York recounts:

"My son was arrested for graffiti, which is a crime and we do penalize for it. I believe he should be held accountable and have to make things right. But to do twelve months in a facility for simply writing on a wall I feel is too much."

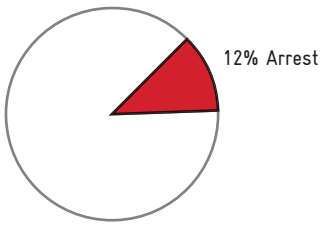
"... My eight-year-old [was] handcuffed by the police officer because they were taking pictures on top of a car. ...When I went to the precinct to pick up my child, my daughter, both of them—an eight-year-old and a ten-year-old—were handcuffed to a rail."

—Parent, New York

Aggressive "stop-and-frisk" tactics are on the rise- and disproportionately target youth of color. However, they rarely even resulting in arrest.



NYC police stops 2002-2011.



Only 12 percent of NYC police stops in 2011 result in arrest.

Even where youth are not found to have committed a delinquent act, the consequences of youth involvement in the system are severe.

In our focus groups, youth, parents, and other family members expressed deep concern that after an arrest is made, children are vulnerable and 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. A New Jersey youngster described his treatment inside the local police precinct this way: "They did not give me a chance to call my mom, my godmother or nobody. They came to the school, got me, and locked me up. My mom and my godmother wondered where I was for two days until they let me loose."

A mother from New Orleans recounted, "My son was supposedly arrested at three o'clock in the day. He wasn't turned into central lock up until twelve o'clock at night. Now they have a confession. ...My son, they kicked him in the chest. They beat him. Everything. My son is not illiterate, can write very well, beautifully. [He] signed a confession: 'I'm sorry Ma. [I did it] 'cuz I needed money.'"

While the number of serious crimes committed by young people and adults has remained low in past years, the number of youth formally prosecuted for minor offenses in juvenile court has risen.[26]

PROFILES IN COURAGE
TARSHA AND MARQUIETH JACKSON

My name is Ms. Jackson. I'm a native of Houston, Texas, and the parent of a disabled child who spent over five years in the juvenile justice system. At age eleven, my oldest son was placed in a Harris County Juvenile Detention Center on allegations of breaking a $50 window. After nearly nine months in Harris County detention, and nine months of advocacy, his release was approved by the presiding judge. But a court attorney appointed herself Guardian Ad Litem and presented before a visiting judge without notifying me of the changes and the new court date. Instead of the agreed upon release, the judge sentenced Marquieth to the Texas Youth Commission without a parent present.

Marquieth was incarcerated for three years and six months. My son was sexually, physically, and mentally abused. He received no education and was medically neglected.

These experiences increased my awareness of the injustices occurring in the juvenile justice system. Here began my campaign to draw state and local attention to problems within the Texas juvenile justice system. Years of dedication finally paid off with the formation of the Texas Families of Incarcerated Youth (TFIY) in June 2004. We lobbied the Texas legislature to reduce youth incarceration and increase family-focused, evidence-based interventions and sentencing options. In 2007, Texas passed Senate Bill 103 which prohibited counties from sending youth to secured facilities on class C misdemeanors. This historical legislation changed the Texas juvenile justice system forever. The legislation included the development of a Parent's Bill of Rights, which was drafted in partnership with the Texas Youth Commission. I am dedicated to engaging families and community members in the struggle to reform juvenile and criminal justice systems, and ensuring that directly affected youth and their families play a meaningful role in the efforts to reform policies and reduce racial and ethnic disparities within juvenile incarceration.

LOCKED DOWN/LOCKED OUT: DETENTION

Miami-Dade Regional Juvenile Detention Center

Photo Courtesy of Richard Ross

In virtually all states, youth who are arrested may only be detained pending their juvenile court hearings for two reasons: (1) they pose a significant risk to public safety, or (2) there is a very high likelihood they will fail to appear in court. Yet in 2008, of the 348,000 youth placed in locked, pretrial detention centers where they were held pending the outcome of their cases, just 12 percent were accused of serious violent crimes.[27]

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 detention has a profoundly negative impact on young people's mental health and well-being, employment and educational outcomes, and increases the likelihood of becoming more deeply involved in the justice system.[28]

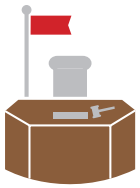
When families receive a call from the juvenile detention center after their child's arrest and are asked to pick up their child, they often neither receive information about these harms of detention, nor are they offered the transportation or childcare services sometimes necessary for them to be able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

Until better information and support is provided to families, detention centers will continue to be filled with youth who have not been charged with serious crimes and pose no obvious flight risk. As a result, the youth's long-term success rate will continue to diminish.[29]

"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



The quote on the right captures many of the concerns and frustrations that families expressed about the court process. Focus group participants discussed not receiving any orientation to the court process. A confusing court process combined with their concern for their child is not just overwhelming, but paralyzing for many families. Describing her experience of the court process, a mother from New York said, "Me senti como ahogado, como que no tenia aire. No tenia nada. No tenia palabra./ I felt like I was suffocating, like I couldn't breathe. I had nothing. I couldn't speak."

While families understand the tremendous caseloads carried by court professionals,[30] just 18 percent of families reported that professionals in the youth justice system (judges, probation officers, public defenders, facility staff, and others) were helpful or very helpful during the court process. The vast majority of survey participants (83 percent) report that a public defender or a court-appointed attorney represented their family member with far fewer reporting representation by a private attorney (19 percent).

Families described having to wait long periods of time before their child's case was heard and not being clear on if, and when, it would be heard. When decisions were made, families were not involved.

- Overall, 91 percent 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.

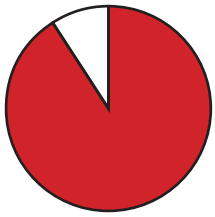
Despite efforts to be present and follow court proceedings, families often found themselves blamed by court personnel. "As a family member it feels as though we are also being punished. And it feels like we are, as family members of kids who have been in trouble, judged and looked at as though we are unfit," said a family member from Oakland, California.

Difficulties and a sense of disrespect toward the families during the court proceedings might be more tolerable if lengthy sentences under court supervision and in youth prisons weren't so routine.

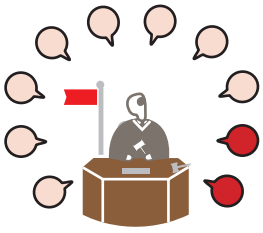
"I never even thought my son needed an attorney. It wasn't until much later that I discovered I had lost my parental rights to my son and that he could spend as long as five years in a juvenile prison for a theft. After I found this out I tried to talk to an attorney who told me there was nothing he could do to help my son. I was devastated that so much of my son's future was dependent on the decisions I made for him. Because I didn't have an attorney providing a 'zealous defense,' my uninformed decisions continue to haunt my son over a decade later." —Mother, Louisiana

"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



Eighty-one percent 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 can often end up in a confined facility. It is important to note that youth who are on probation have already been determined NOT to be a danger to public safety. Locking youth up for things like violating curfew or failing a drug test does not change this, it only subjects them to the dangers of confinement. Research in both the United States and abroad confirms that the more deeply involved a young person becomes with the juvenile justice system, the more likely he is to get arrested as an adult.[31]

Parents shared that often attempting to access services, rather 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.

"When he started acting up in school the counseling didn't really help much...they tell you to take out a PINS [file or case]. Now PINS is supposed to help you. PINS is Person in Need of Supervision...they're supposed to help you but what they do is they put the child on probation. So they make the child feel like a criminal even if they didn't commit a crime." —Mother, New York

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

—Mother, New York

FAMILY PROFILES IN COURAGE
GRACE AND COREY BAUER

I remember, with striking clarity, the day my son was arrested for the offense that would earn him a five year sentence in a youth prison some five and a half hours from home and the people who loved him most in all the world—his family. What did a thirteen-year-old child do to earn such a stiff sentence? He broke the window of a pickup truck and stole a $300 stereo.

From the very beginning of his adjudication, I saw the signs that he was being abused and neglected. I looked to the system to right this wrong immediately, but no help ever came from those entrusted with his care and well-being.

What I couldn't see then was the long-term and deep impact this would have on him and our family. Had I been given the information that any parent would expect in such circumstances, I would have made much different decisions regarding my son.

We, as a nation, have a decision to make about how we treat young people who come to the attention of the juvenile justice system. If we treat them as criminals as we do today, we should continue to expect the exact same results of high recidivism rates and poor outcomes. Alternately, we can utilize all of the current evidence and research at our disposal and treat these youth as the children that they are.

Whether we are trying to do what's best for our own child or fight for systemic reform, we as the families of these young people have been blamed, ignored, and cut out of the juvenile justice system. Biases, unequal treatment, and falsely held beliefs have all served to silence the family voice to the detriment of our children and our communities. The time of our silence is over. If we are to improve the lives of all children we must begin to work with equal respect and equal power, together!

LOCKED DOWN/LOCKED OUT: YOUTH PRISONS

Photo courtesy of Richard Ross

Once youth have been to court and found guilty of crimes, juvenile courts often place them into state-run or state-funded corrections institutions or other residential facilities. The vast majority of these facilities are little more than youth prisons.

As with juvenile detention centers, the vast majority of these youth have not committed serious crimes and come from low-income communities and communities of color.[33] Nearly 50,000 young people are separated from their families each night in what amount to youth prisons with deplorable conditions, dangerous environments, and a tragic lack of programs and services that might actually help children overcome problems and develop their skills.[34] A godmother reflected on her godson's eight years in a California youth prison, "It's been a living hell. Because his mother passed away, I am his main support. He frequently tells me that he is 'just trying to survive.' There have been countless fights. The level of violence that he has experienced in these facilities has often been worse than on the streets that he was taken from."

Too often, youth are placed in isolation "for their own safety." Youth are often isolated from their peers and staff for hours on end.[35]

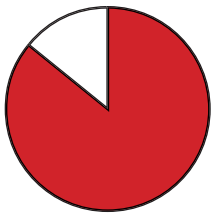
"He slowly became a shadow of himself," said a parent in California. "Before my son got locked up, he was healthy. Being locked up for more than twenty-one hours and sometimes more than twenty-three hours a day [in solitary confinement] made my son sick. He is physically deteriorating. His speech is slower and

"My son has made mistakes in his life. But he wasn't sentenced to be tortured. He wasn't sentenced to sit in a cold cell by himself all day with no help. And he wasn't sentenced to be viciously beaten by guards. I want my son to get help. I want him to finish high school and to never go back to the DJJ [California youth correctional system]. I want him to gain the skills he needs to make the right choices. I want him to breathe some fresh air and to have enough food to eat. I want him to get help when he gets hurt."

—Parent, California

he seems distant now. The prison system has broken his spirit. I wonder if he can ever heal from this trauma."

Eighty-six percent of family members surveyed said that they would like to be more involved in their children's treatment while they are confined in a correctional facility or other residential placement. But most struggle to stay connected and to find out whether their child is even safe. Seventy percent of families responded that they were not able to reach their children by phone as often as they would have liked while they were in facilities.



Eighty-six percent of family members surveyed said that they would like to be more involved in their children's treatment while they are confined in a correctional facility or other residential placement.

Youth prisons are often located in remote areas hours away from the homes of most youth—frequently in locations that are difficult or impossible to reach by public transit.[36] Worse yet, parents and other family members face severe restrictions over when, who, how often, and for how long they may visit their loved ones.

Three-fourths of respondents reported facing serious impediments to visiting their children. Common barriers include difficulties with transportation (42 percent), distance (41 percent), time (37 percent), cost (35 percent), insufficient visiting hours (34 percent), restrictive visitation rules (28 percent), or having visitation rights taken away as a disciplinary measure (22 percent). Families also reported that visitation rules generally do not accommodate alternative familial arrangements, often limiting visits to an arbitrary set of "immediate family members."

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

More than half of family members with a child in residential placement (55 percent) said that it was difficult or impossible to contact staff at the facility to ask how their child was doing and get information about their child's progress and/or safety. "[My son] was assaulted twice and [the facility staff] never said anything," said a parent in Alexandria, Virginia. Among family members who did reach a staff member at the facility to discuss concerns, fewer than one in five found the conversation helpful.

Despite poor interactions with facility staff, family members recognized the problem as institutional rather than individual: "I know there are people with good intentions there, but there is no access to services—there's not all that much in the correctional center," said one focus group participant from Alexandria, Virginia.

LOCKED DOWN/LOCKED OUT: YOUTH RE-ENTRY

The release of a child back to their family and community is a powerfully important juncture in the life of a young person. However, the event also presents a unique set of challenges for both the child and family. It is critical that families be prepared to deal with these challenges.

- 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 secure care placements can face difficulties finding employment, a place to live, and securing necessary medications, to name just a few basic needs. Many children also return home with trauma stemming from the separation from their families, homes, and communities and far too many children suffer post-traumatic stress from the violence they witnessed and/or endured.

While state data on recidivism vary widely, studies find that 70-80 percent of youth released from youth prisons are rearrested in two to three years.[37] At best, this signals a short-term 30 percent success rate.

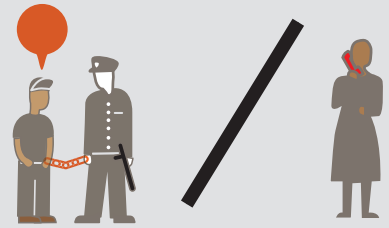
At every stage of the process, youth justice systems are failing children and placing significant barriers in front of families trying to support their children's success. The harms associated with this maltreatment tend to compound and spread outward from youth, to family, to community.

"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

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.

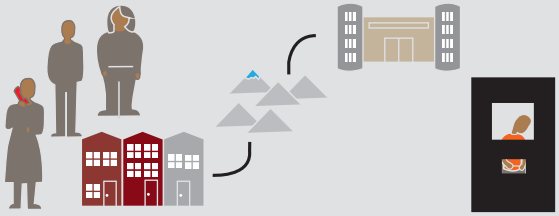


2. Arrest Aggressive police tactics including 'stop-and-frisk' drive the growing number of youth of color arrested for 'quality of life' crimes and other misconduct. After an arrest is made, children are often prevented from speaking with their family before questioning, not informed of their rights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

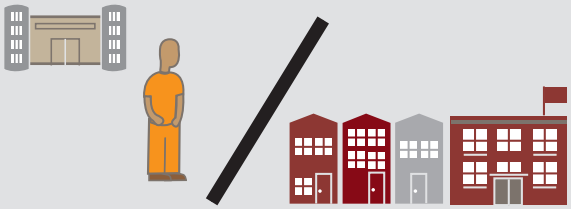
3. Detention Children are often unnecessarily detained in youth detention centers while they are awaiting trial. Detention of a child has been shown to have profound and lasting negative impacts. Families neither receive information regarding the harms associated with detention nor accommodations that 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.



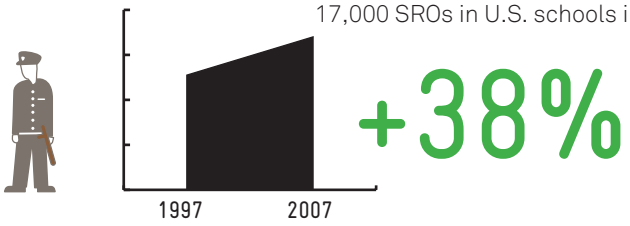
7. Re-Entry/ Parole Youth are often released without significant notice to families, or the documentation and other preparation needed to return to school, work, and home. Youth face significant barriers to getting back into school and securing housing and employment. They often face parole supervision 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.*

FROM SCHOOL TO PRISON

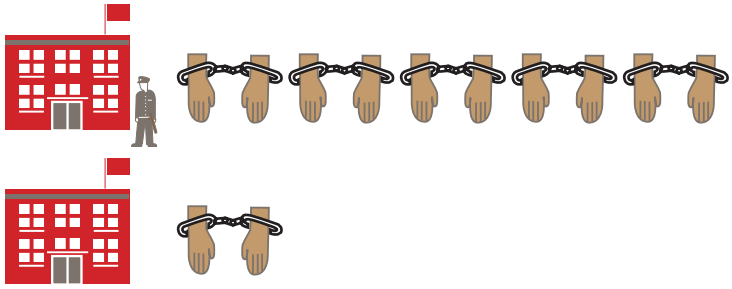
SCHOOLS ARE INCREASINGLY POLICED

17,000 SROs in U.S. schools in 2010[1]



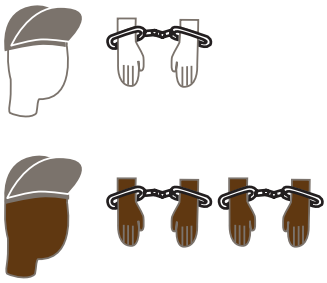
Fueled by increasingly punitive approaches to student behavior such as 'zero tolerance' policies, the past 20 years have seen an expansion in the presence of law enforcement, including school resource officers (SROs), in schools. According to the U.S. Department of Justice, the number of school resource officers increased 38 percent between 1997 and 2007.[2]

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.[3]

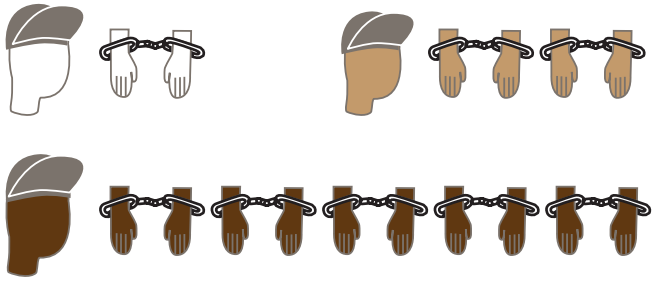


Yet, the prevalence of SROs in schools has little relationship to reported crime rates.[4]

Schools with more students of color are more likely to have zero tolerance policies resulting in suspentions & expulsions[5]

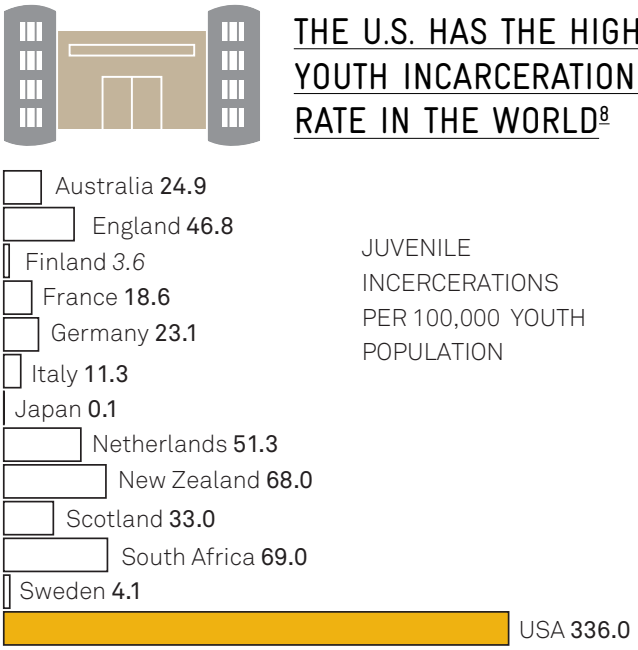


Although White youth report carrying weapons to school at slightly higher rates than Black youth, Black youth are more than twice as likely to be arrested for weapons possession.[6]



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.[7]

THE U.S. HAS THE HIGHEST YOUTH INCARCERATION RATE IN THE WORLD[8]

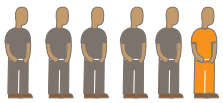


68% OF ALL MALES IN STATE AND FEDERAL PRISON DO NOT HAVE A HIGH SCHOOL DIPLOMA

We spend approximately **$88,000** per year per youth in a **juvenile corrections facility**[9]

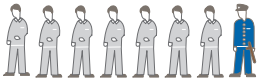
And spend on average **$10,615** per year per student in a **school**[10]

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[11]

II. JUVENILE JUSTICE SYSTEMS TEAR APART FAMILIES AND DESTABILIZE COMMUNITIES

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

Half of family members who took part in the Justice for Families survey (51 percent) reported that their households live on less than $25,000 per year, while just 6 percent of survey respondents have family incomes of $50,000 or more—the national median income for families.

According to our surveys and focus groups, families are spending a great deal of their limited financial resources on court- and incarceration-related fees and costs. The nature of these expenses varies from jurisdiction to jurisdiction but may include charges for truancy,[38] probation fees, court costs, restitution orders for their children's misconduct, and costs associated with visits to their confined children.

When asked how much they spend on court-related payments such as juvenile hall or detention stays, electronic bracelet monitoring, restitution, attorney fees, and other court costs, nearly two-thirds of survey respondents estimated a monthly cost greater than $125, one-third said they spend more than $500 per month, and 18 percent said their costs exceeded $1,000 per month. Focus group participants reported that these costs create serious hardships on households and significantly limit the time and resources families can devote to court-involved children and their siblings. For a family living on $25,000 per year, $500 per month in court-related costs is equivalent to about 25 percent of the family's entire pretax monthly income, leaving households with very little to survive on each month.

- Approximately one in three families said they have had to choose between paying for basic necessities like food and making court-related payments.
- Nearly one in five families reported having to take out a loan to make court-related payments.

"You have to basically go into bill money for these people to get their money," said one Louisiana parent. "It was really like they didn't care if the lights were on, whether your water was running, or whether you got put outdoors as long as they got what they asked you to pay the courts. It's devastating and it takes a toll."

Nearly two-thirds of 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. One

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

—Parent, Louisiana

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

parent from New Orleans related, "I had to take off of work five or six times within a month. ...You go back for another date and another date. I spend more time in court than I do my job and I'm about to lose my job."

Most employers require advance notice to receive a day off from work. Yet, families described waiting hours for their children's cases to be called only to find that the scheduled hearing had been continued or postponed, requiring yet another missed work day. A Virginia parent recalled getting a call at 8:05 a.m. for a court hearing scheduled at 9:00 a.m. on the same day. Not recognizing these difficulties, too many system personnel mistake parents' absence from a court hearing for indifference and apathy.

Families frequently face significant expenses when they visit their children in placement, given that many youth corrections facilities are located in remote rural regions. "The drive is almost six hours. Economically, it's four to five hundred dollars. I only can go once [every four or five months], when I used to be there every weekend," said one Los Angeles parent.

Many families are forced to pay costly charges to speak with their children by telephone including the high costs of collect calls, various surcharges, connection fees, and per-minute charges.[39] 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.

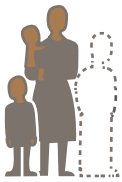
Nearly one in five families reported having to take out a loan to make court-related payments.

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.

TORN APART: MENTAL AND EMOTIONAL HEALTH IMPACTS

Each day, month, and year that passes with a child in the system adds to a heavy toll on the mental and emotional health of families. "It's been a few months since I haven't been able to hug my son. It's traumatizing," said a mother from Los Angeles. Families suffer the grief of separation, experience the extreme stress of overwhelming concern for the well-being of their loved one, are faced with shame, helplessness, and indignation over their own exclusion, blame, and mistreatment at the hands of the system, as well as the internalization of the stigma of involvement with the juvenile justice system. These challenges impact individual family members and stress relationships in the family.

"It has had a devastating effect," one New Jersey parent explained. "My daughter is only eleven and she doesn't know how to deal with that. She doesn't want to go see him. She won't read his writings or even talk to him. ...I don't know if she's sad, or devastated, or trying to process the information..." In discussing the incarceration of her sibling, a Brooklyn teen says, "For me, the damage was done. The damage was done, you can't take that back. You can't take all those years of fear, and anger, and stress, and false hope, and loss, tremendous loss...you can't get that back." She also described the pain of seeing how the youth court process weighed on her mother:



"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

"You could literally see that she could not breathe. It was just very hard as a young teen [to] see your mother and try to comfort her at night. Some nights I would just sit and just watch her sleep because I was worried about her—I was worried about everybody. ...There is no support—when it comes down to it at the end of the day, people shut their doors on you."

While the whole family is impacted, parents and other primary caregivers can feel very alone in their struggle to support their system-involved child.

TORN APART: FEELINGS OF ISOLATION, ALIENATION, AND POWERLESSNESS

Focus Group Participant
Bronx, New York

Photo Courtesy of Shawn Escoffery

One of the most consistent themes in our focus group analysis was family frustration at having no one to talk with who understood what they were going through; no one with knowledge and experience with the juvenile justice system who could explain the process, answer their questions, and provide advice. Families find themselves involved in the juvenile justice system with little to no preparation for what may lie ahead. In the moments when they feel they need the most support, families find themselves alone and isolated.

"During this time a mother is so emotionally distraught. You need someone that cares, that just gives a damn. That's it. I don't know how many item pieces of clothing he can have. I don't know what the stipulations are...what the regulations are...what color he can have. [And] I am just looking for someone to say: 'You know what Mom? He's going to be safe. We take care. Listen, this is what you have to do.'"

—Mother, New Jersey

TORN APART: IMPACT ON COMMUNITIES

Over the last thirty-five years as local, state, and federal governments have increased the amount of funding targeted toward incarcerating youth and adults, there has also been a precipitous decline in funding for basic social services[40] including education,[41] affordable housing,[42] job development programs,[43] drug treatment programs,[44] mental healthcare facilities,[45] and childcare support.[46] These disinvestments have disproportionately impacted people of color and low-income people.[47] Todd Clear and other researchers have shown that the high concentration of police combined with current- and formerly-incarcerated persons in low-income communities of color actually makes residents less, rather than more, safe.[48]

Focus groups participants described the difficulty of getting institutions unaffiliated with the criminal justice system to intervene in their children's lives. They described the lack of affordable recreational and learning opportunities, mentoring and other services, and employment opportunities for young people in their neighborhoods.

Families identified a negative cycle of disinvestment and increased police presence that makes system-involvement inevitable for far too many youth in their communities.

The juvenile justice system primarily funds intervention policies that have proven least helpful and most damaging to young people: exclusion from school in the form of suspensions and expulsions and youth detention and incarceration. Rather than supporting families trying to keep their children on track, juvenile justice policies tend to exclude families and heap economic and other strains upon already difficult situations. By driving families into debt and worsening educational and employment opportunities for youth, juvenile justice policies reinforce longstanding patterns of racial and economic inequality.[49]

Going from a juvenile justice system that lacks accountability and reinforces inequity to a youth justice system that is effective and reinforces opportunity will not happen in one giant leap. There are steps small and large that must be taken and, as the following chapter illustrates, families are already leading the way.

"If there were more resources in the community that were affordable or free, my tax dollars going to something like that, I could understand that. If you are collecting my money for the county and putting it into some programs, I'll be for that. But just to take my money and do whatever you guys want to do with it, which is obviously not creating programs for the youth, it's just a waste. So then our African-American and Hispanic youth are out there just searching and looking for something that they are not getting. ...The longer you keep our youth incarcerated, the more you can violate them and keep them coming in-and-out, in-and-out without giving them anything."

—Parent, California

III. FAMILIES DEMAND SOLUTIONS. FAMILIES ARE THE SOLUTION.

Family, Durham, North Carolina

Photo Courtesy of Spirithouse/ Erin Bree

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.

Instead, under the current system, families must go to tremendous lengths to support their children. When asked how they support their court-involved and incarcerated children, survey respondents referenced financial support, emotional support, the provision of care packages, assistance re-entering school, assistance finding employment, long drives across the state and overnight hotel stays to visit, mortgaging their homes for attorney fees, and prayer among literally hundreds of other responses. Families provide these supports despite the barriers placed before them by the juvenile justice system. As one mother from the Bronx said, "You have to push and push and push and push."

The barriers families face as they try to support their children defy common sense, shared values, and years of research. Numerous studies have identified common elements to effective youth justice programs. These elements include treatment at home or in a home-like setting, and treatment built around youth and family strengths.[50] Other studies demonstrate the positive effects for both youth and adults of maintaining family contact while a loved one is incarcerated.[51]

Given families' efforts and this research, policymakers and system professionals should enlist families as partners in designing new approaches aimed at helping youth succeed. Across the country, families are stepping up. They are demanding, developing, and implementing strategies to help turn juvenile justice systems that treat young people as juvenile delinquents into youth justice systems that treat young people as young people.

Families want their children and their communities to be safe and to thrive. The families who participated in our research

described how decades of disinvestment and the growing incarceration epidemic have torn at the fabric of their communities. A rethinking of youth justice based on the recognition of the deep strengths and values held by communities with the goal of reconciliation is desperately needed. Rather than continued investment in incarceration, a reinvestment in the social goods and opportunities within communities is critical.

Let's join forces to create a system that builds on the strengths of youth and provides parents and families the support and opportunities they need to launch children toward success. Let's start building family leadership into the design of youth justice systems. Let's work together to tap into the resiliency of communities harmed by decades of failed tough-on-crime policies to solve problems and enhance genuine public safety.

At the end of this chapter, Justice for Families presents its Blueprint for Youth Justice Transformation, which provides a path forward toward a family-driven, trauma-informed youth justice system. The pages that follow detail the steps along the way.

"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

STOP LOCKING OUT FAMILIES: ELIMINATE PRACTICES THAT EXCLUDE, ALIENATE, HARASS, OR HARM FAMILIES

Families surveyed indicated some of the many ways that juvenile justice system officials might be more responsive to families during the court process, including:

- Allowing families meaningful participation in the court process (92 percent)
- Involving families more in the decision of what happens to a child found delinquent or guilty (91 percent)
- Giving families more timely notification of court dates (87 percent)
- Holding court when it is easier for families to attend (85 percent)
- Providing families with the support of another family who has been through the court system (85 percent)
- Supporting families' transportation to court (84 percent)

Surveyed families also made concrete proposals around how officials can both include families and make it easier for families to provide support when youth are in out-of-home residential placements, or youth and adult prisons, including:

- Discontinuing taking away visits for misconduct in the facility (76 percent)
- Maintaining a staffed hotline or call center for families who have questions about visitation (92 percent)

- Providing families with transportation to the out-of-home residential placement (81 percent)
- Notifying families of expected release dates to allow them sufficient time to prepare (93 percent)
- Locating facilities/programs closer to home (91 percent)
- Having more visitation opportunities (91 percent)
- Having fewer limits on who can visit (83 percent)

Families also pointed to the need for more timely responses to information requests about their loved one's well-being; more support and planning (even one to two years) for pre-release planning; and being treated with respect throughout the process.

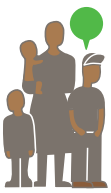
Rebecca Herrera with a picture of her son Joshua Herrera

Photo Courtesy of Albert Cobarrubias Justice Project

FAMILIES IN ACTION: ALBERT COBARRUBIAS JUSTICE PROJECT (ACJP)

ACJP, in San Jose, California is a grass-roots, community-based initiative to support families of youth and adults at risk of prosecution in the juvenile/criminal justice system or the immigration system. Participating families gather weekly to discuss cases, educate families on their rights, strategize, and apply pressure on public officials and on defense attorneys to resolve cases favorably. For example, ACJP helped the mother of Joshua Herrera mobilize hundreds of community members to convince a judge to take a life sentence off the table for unfounded gang enhancement charges.

ACJP also won a campaign to ensure that defendants have representation at all misdemeanor arraignment hearings. Previously, indigent defendants were making pleas without consulting an attorney, and not understanding the implications of their plea, or their basic rights to challenge the charges. As a result, many community members faced consequences in their immigration status, employment, housing, and other important aspects of life that could have been avoided had they been offered counsel with an attorney.



START BUILDING IN FAMILY LEADERSHIP

Ending practices that exclude and alienate families is only the beginning of necessary reforms. Youth justice systems must also reach out to, and partner with, youth and families as they seek to design and implement youth support and rehabilitation programs and policies. There are three main ways to do this.

"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

1) BUILD IN FAMILY LEADERSHIP: 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. Parents and families should not only be invited, but actively encouraged to participate in school disciplinary hearings, and in juvenile court diversion, detention, adjudication, and dispositional hearings. Discussions should be conducted in everyday language, rather than bureaucratic jargon or legalese. Research demonstrates better outcomes when youth and families are actively involved in decision-making processes.[52]

One example of involving families in the critical decisions that impact their children is the state of Connecticut's Case Review Team (CRT) conferences. These conferences are designed to explore all options before any young person is committed to residential custody and to explore alternatives for supervising and safely caring for the young person at home or in the community. The conferences include family members, probation staff, school personnel, social workers, mental health providers, and the young people themselves. Of the 597 CRT meetings convened during the first two years Connecticut employed this process (2005-2007), 72 percent of participating youth avoided out-of-home placement. A substantial share of these youth avoided any subsequent contact with the justice system, or had only very minor involvement.

Parents can help systems identify appropriate alternatives to formal court processing and residential placements. Parents and families are uniquely positioned to know what mix of help, services, and opportunities will help a young person succeed.

2) BUILD IN FAMILY LEADERSHIP: Create, Encourage, and Sustain Peer Support Programs for Families of Court-Involved Youth.

One of the most consistent themes in the focus group discussions was family members' frustration with having no one to talk with, no one who understood the stress they were going through, and no one with the knowledge of, and experience with, the juvenile justice system who could explain the process, answer their questions, and provide advice.

For many families, experiencing the trauma and difficulties of having a loved one in the justice system initiates a personal imperative to develop structures of support for other parents, and to advocate for a different system.

Families identified peer support as an important and powerful strategy for empowering each other and ensuring their effective participation in their children's care and supervision. Families suggested that these individuals should have relevant personal experience rather than be court employees. "There needs to be an advocate...that is not necessarily a juvenile hall or court system employee," said a parent from Oakland, California.
Juvenile courts and probation agencies can establish peer

"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

Flyer from Families and Allies of Virginia's Youth flyer

support programs in several ways: working with an existing parent organization, reaching out to community organizations with the capacity to engage and mobilize families of court-involved youth, or by directly hiring parents/family members of youth currently or formerly involved in the justice system. While all of these models are viable, working with existing parent organizations and community-based organizations can help ensure that peer-support advocates are connected to the communities they serve. Examples of successful peer-support programs exist both within and outside the field of juvenile justice.

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.

The Parents Involved Network (PIN) in Philadelphia, Pennsylvania regularly attends juvenile court and meets with family members in the court's waiting room before children's cases are heard. In the first nine months of 2011, over one hundred families received assistance from PIN's two trained family advocates.[53] In Seattle and King County, Washington, the Juvenile Justice 101 project assisted more than 2,000 families in 2011, the project's first year. The core of the project is a thirty-minute orientation workshop provided by families to families in the waiting room inside the juvenile court building.[54]

In response to the passage of harsh and controversial anti-immigrant legislation like Arizona's SB1070, communities across the country began organizing Barrio Defense Committees, wherein neighbors join together to resist deportation actions and care for the families of the deported. Where a child's parent or guardian is taken into custody and the child is at risk of deportation as a result, these committees assist other family members in obtaining "power of attorney." This can help ensure that other family members are able to exercise their rights to care for these children and prevent their deportation.

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 understand their rights and that they be able to influence the decisions large and small that impact their children and communities.

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

While family involvement in their own children's cases is critical, it is not enough. Across the country, juvenile justice policy must be completely re-examined and families must be involved in these discussions. Families with court-involved youth must be able to impact their own children's case and influence youth justice

FAMILIES IN ACTION: CHILD WELFARE ORGANIZING PROJECT (NEW YORK, NEW YORK)

In 2006, The Child Welfare Organizing Project (CWOP), a grassroots parents' support and advocacy organization, piloted the use of life-experienced parent advocates as community representatives in family team conferences convened by the city's public child welfare agency (ACS) in situations where protective removal of a child was being considered. Since 2007, ACS and CWOP have had a memorandum of understanding that whenever ACS is considering the protective removal of an East Harlem child, they first contact CWOP and invite a community representative to a family conference, now known as a Child Safety Conference. A June 2012 evaluation of the East Harlem Child Safety Conference project by the National Resource Center for Permanency and Family Connections revealed a more than 36 percent difference in the foster care placement rate between East Harlem and the comparison site, Central Harlem (where CWOP is not present in Child Safety Conferences). The study also found high levels of satisfaction with the service arrangement on the part of both parents and child protective personnel, and recommended that the initiative be replicated citywide.

"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

PROFILES IN COURAGE
ERNEST JOHNSON

My name is Ernest Johnson I'm a parent and an organizer for Families and Friends of Louisiana's Incarcerated Children (FFLIC).

My journey in the juvenile justice system started in January, 2009, just before the inauguration of the first African-American president, when I learned that my fourteen-year-old son was involved in a high profile case in New Orleans. Part of me was joyful about history being made with the election and part of me was sad knowing the circumstances that the judicial system can put families in.

I felt so isolated watching how the media portrayed youth. The outcry on one side of town and the silence from the other was an indication of how our community was viewed.

According to the media, parents don't care about their kids, don't want to work, and consider education unimportant. Too often we inhale that myth and it becomes toxic.

I thought the youth judicial system would be less harsh than the adult system until we went to ten hearings over a two-year period to determine if this fourteen-year-old child would be transferred to adult court. Finally, we succeeded and my son was not transferred.

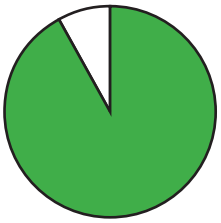
Today, because of FFLIC, the organization that supported and now employs me, I have the opportunity to have a voice for youth and families not only locally, but nationally in partnership with organizations like the Campaign for Youth Justice, which discusses issues such as youth transfers to adult courts. Community Justice Network for Youth has helped my work around disparities in juvenile justice, and demonstrated data-driven alternatives.

Because they advocate for families, I now have a voice. Justice for Families has also given me a chance to funnel the voices and stories of others about the truth about youth incarceration.

We must continue to lift families up in a world that has forgotten that these so-called criminals are still kids. We will continue our journey, striving to replace tears and disappointment with justice and equity.

policies that impact their families and communities. 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 73 percent reported they had never been part of such discussions.

Family members and youth should be represented in all policy-making and oversight bodies with responsibilities in the youth justice system. More and more, youth justice system leaders are acknowledging that family involvement is a crucial ingredient for success. Yet achieving meaningful family involvement is far more difficult in jurisdictions where families are not engaged, organized, and trained to understand (1) how the system works; (2) how parents and families can play an effective role as advocates for their own children; and (3) how they can be leaders in overall system reform.
Community-based organizations can play a valuable role in ensuring meaningful family partnership and leadership in youth justice systems. While only 27 percent of all families surveyed reported being involved in conversations with decision-makers



92% of respondents stated that families should be engaged in local, state, and federal policy discussions.

73% had never been part of a policy discussion.

about the youth justice system, over half of families who reported involvement in a community-based organization had been involved in such a conversation. Local governments, private foundations, and others should provide grants, contracts, stipends, and other financial support for these kinds of parent- and family-advocacy organizations.

Family-driven decision-making at the policy level has proven antecedents in the mental health field. The concept of family-driven care has transformed not just how services are provided but also how policy decisions are made regarding which services to provide to families of children with mental health needs. In fact, the Substance Abuse and Mental Health Services Agency (SAMHSA) issued a practice guide for states on engaging these families that was developed by a family organization.[55] The Office of Juvenile Justice and Delinquency Prevention should work with family-driven organizations to issue like similar guidelines for local and state juvenile justice systems.

New Orleans Rally

Photo Courtesy of FFLIC

FAMILIES IN ACTION: FAMILIES AND FRIENDS OF LOUISIANA'S INCARCERATED CHILDREN (LOUISIANA)

Families and Friends of Louisiana's Incarcerated Children (FFLIC) is a statewide membership-based organization that fights for a better life for all of Louisiana's youth, especially those involved in, or targeted by, the juvenile justice system. FFLIC's work demonstrates that family-centered advocacy organizations can partner and collaborate with jurisdictions to help ensure the fair treatment of youth in juvenile justice systems. FFLIC has participated in the monitoring of the New Orleans's local detention center and the state's youth prisons through its participation on the Calascieu Parish Children and Youth Planning Board. FFLIC is able to meaningfully participate in monitoring efforts as a result of their sustained connection and commitment to families and youth involved in the system.

FFLIC represents one of the largest and most ambitious youth justice advocacy and peer-support organizations in the nation. With four chapters around the state, FFLIC makes contact with dozens of new families each month. Some come for individual advocacy support while others go on to help lead advocacy campaigns. In 2003, efforts by FFLIC and the Juvenile Justice Project of Louisiana were pivotal in passing landmark legislation—the Juvenile Justice Reform Act (Act 1225)—which led to the closure of the state's infamous Tallulah Correctional Center for Youth, a substantial reduction in youth incarceration, and new efforts to transform residential placements in the state.

PROFILES IN COURAGE
VERONICA MARTINEZ
STUDENT & YOUTH ORGANIZER, YOUTH JUSTICE COALITION

I am a high school student and youth organizer at the Youth Justice Coalition. I am also a single parent of two little girls. I live in South Central Los Angeles. In elementary school, my mom wasn't able to care for me and my two little sisters, and I was trying hard to raise all of us. The system discovered that we were alone, and I spent four years in foster care until the age of twelve. In elementary school, I loved to learn. I was an honor student and was at the top of my class at my fifth grade graduation. But I was also becoming more and more angry and lonely without my family.

In junior high school, I started acting out—not in ways that were violent, but just disrespectful. I was never sent to counseling. The school never asked what it was like for me without my family, or even why I was acting so mad. The only thing they did was punish me, suspend me, and that just pushed me into the streets where I had no guidance or discipline. Eventually, my junior high school permanently expelled me. I was twelve years old.

When I was pushed out of school, I hit the streets, drinking, getting high, and running into trouble. The streets only offer two futures: incarceration and death. At the age of thirteen, I was arrested and went to juvenile hall for the first time for vandlism. My fighting skills really improved as my skills as a student disappeared. I was never prepared in juvenile hall or lock-down placements to come back to the community. I wasn't given any transcripts, any identification such as a birth certificate or a state ID, or provided with any real educational options or referrals to schools, community-based organizations, or access to free healthcare. So, when I came home from being locked up, it was very difficult for me to get back into school. Schools and even entire districts would deny me due to my criminal background. That also happened with job opportunities. Meanwhile, probation officers threatened to "violate" me and incarcerate me again if I didn't find a school.

I was getting recycled in and out of jail without any guidance. I started to believe that there was no future for me besides being a shame to my family and a menace to my community.

In 2010, my friend and I were having a conversation and she said she had graduated from Free L.A. High School. Little did I know, the school was run by the Youth Justice Coalition. When I was thirteen years old and homeless on the run, the YJC helped me get into a shelter. So I felt relief when I heard that they now had a high school. They started the school because so many YJC youth were banned from educational opportunities because they had been arrested. In three years, over one hundred youth have graduated.

I have testified many times in Sacramento in order to pass laws to reduce suspensions and end the discrimination against youth returning to school upon release from incarceration. In Los Angeles we were active in the struggle to reduce fines and court appearances for truancy. We are fighting to get police out of our schools and replace them with community intervention/peace workers. We have fought to end the practice of billing families for the incarceration of their children. (Families were losing their wages, tax refunds, and even homes.) We have blocked the County Sheriff's proposed $2.6 billion expansion of the county jail system—Los Angeles already has the biggest jail system in the world.

For nearly all of us at the Youth Justice Coalition, our push into the prison system started with our push out of school. I hope that all U.S. citizens will support Justice for Families and build schools not jails, investing in college prep and not prison prep. Without school, we have no future beyond bare survival in low-wage jobs, death in the streets, or a lifetime in and out of prison.

Books Not Bars Rally to End Solitary Confinement Ventura, California

Photo Courtesy of Books Not Bars

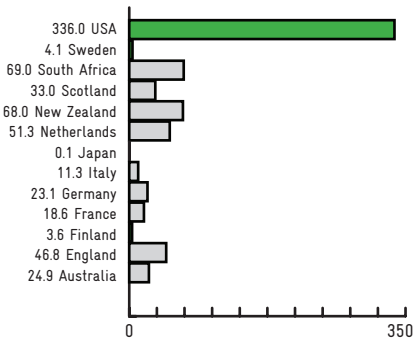
FAMILIES IN ACTION: BOOKS NOT BARS (CALIFORNIA)

Books Not Bars unwavering commitment to the sometimes unpopular reforms articulated by families has made it a key player in youth justice reform in California. In 2004, when BNB launched its family-driven campaign for the closure of California's Division of Juvenile Justice (DJJ) youth prisons, policy makers' responses ranged from a lack of enthusiasm to outright opposition. Undeterred, BNB built a base of families committed to closure while building a reputation in the capitol for passing important legislation. In addition to legislation to ensure families basic access to their loved ones, BNB drafted and worked with legislators to introduce a bill to close all of California's youth prisons in 2007. While this legislation did not pass, it helped pave the way for the passage of California State Senate Bill 81 which barred youth convicted of less serious offenses from being sent to the state's youth prison system and sharply reduced the number of youth committed to the DJJ. In 2012, BNB also worked with legislative allies to introduce and pass legislation eliminating the practice of "time adds," which allowed facility staff to unilaterally extend youths' period of incarceration. In sum, BNB has been a key part of coordinated advocacy efforts (together with the Prison Law Office, Youth Justice Coalition, Center for Juvenile and Criminal Justice, Commonweal, and others) that has dramatically reduced confinement in the state's youth corrections facilities from 10,000 to under 1,000, and closed most of the state's youth prisons.

STOP LOCKING DOWN YOUTH

Focus group and survey participants identified eliminating policies and practices that criminalize youth as a 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



Juvenile Incarcerations per 100,000 youth population.

community. (A full list of recommendations is provided in the J4F Blueprint for Youth Justice Transformation.)

Families have worked to challenge and limit the unnecessary criminalization of youth, and especially youth of color and poor youth in schools and neighborhoods. The Labor Community Strategy Center's Community Rights Campaign led efforts to curtail the issuance of truancy citations in the Los Angeles Unified School District, the nation's second largest school district. Padres y Jovenes Unidos (Parents and Youth United), in Denver, Colorado mounted successful campaigns to reform school discipline practices at the local and state level, including promoting a Fair Discipline in Schools Act which eliminated rules that required expulsions for many offenses (now only firearms cases will result in automatic expulsion), and encouraged schools to deal with behavior problems through restorative justice processes rather than suspensions or expulsions.[56]

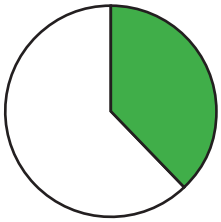
Families are also clear about the rights of youth more deeply involved in the system. When asked which solutions do not work for youth, survey participants stated that trying youth as adults (81 percent), forcing youth to pay for jail/lockup (72 percent), youth prisons (71 percent), and lengthy stays in juvenile halls (66 percent) are all ineffective policies. Thirty-eight percent of family members surveyed have had at least one minor in their family tried as an adult in the last five years.

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

- Working with organizations such as the W. Haywood Burns Institute and the Juvenile Detention Alternatives Initiative which assist jurisdictions in changing policies to reduce youth confinement and racial disparities within juvenile justice systems
- Closing inherently abusive and dangerous youth prisons
- Treating the small number of youth that system officials deem as requiring confinement in small community facilities close to their homes
- Developing restorative justice models proven effective even in the most serious cases as alternatives to the confinement of youth
- Eliminating the practice of trying youth in adult courts, detaining youth in adult jails or immigration detention centers or incarcerating youth within adult prisons.

Families have been at the forefront of work to keep youth out of confined facilities and to permanently shutter the most abusive facilities.

In 2003, FFLIC and the Juvenile Justice Project of Louisiana led a successful campaign to close the state's infamous Tallulah Correctional Center for Youth. Books Not Bars in California has been a key part of coordinated advocacy efforts (alongside organizations such as the Prison Law Office, Youth Justice Coalition, Center for Juvenile and Criminal Justice, Commonweal, and



38 percent of family members surveyed have had at least one minor in their family tried as an adult in the last five years.

"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

others) resulting in the closure of most of the state's youth prisons. In 2007, Texas Families of Incarcerated Youth (TFIY) played a key role in the passage of Texas State Senate Bill 103, a sweeping piece of legislation that redefined the mandate for the Texas Youth Commission, which prohibited youth charged with misdemeanors from being committed to the state's juvenile corrections agency, and helped usher in a downsizing of the state's youth prison system.

While families' initial calls to shutter large youth prisons were met with skepticism, today, thanks in large part to the efforts of families, the call for closure of youth prisons is regarded as sound youth justice policy.

START BUILDING ON YOUTH STRENGTHS: SUPPORTING POSITIVE YOUTH DEVELOPMENT

Youth, Durham North Carolina

Photo Courtesy of Spirit House/ Erin Bree

In surveys and focus groups, family members articulated the need for a youth justice system based not on punishment, but on restoration; not on risk management but on the building of good lives.[57] When asked how judges could assign better options for youth, surveyed families pointed to the need for job opportunities (91 percent), educational opportunities (86 percent), mentorship opportunities (84 percent), mental health programs (77 percent), and community-based services that keep kids in the home (75 percent). Rather than a system organized around confining youth and placing them on probation—essentially containing and placing obstacles in front of youth, and establishing negative goals—youth justice should be focused on positive youth development. Its guiding purpose—alongside public safety—should be to give all young people the opportunity to become successful, self-sufficient, and critical-thinking assets to their communities.

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community-based services that keep kids in the home (75%)

The transformed youth justice system would reallocate resources previously spent on confinement and risk-management forms of probation supervision to fund conflict-resolution and peacebuilding programs in schools and positive youth development

and supervision programs as primary options for court-involved youth. These programs allow young people to remain at home and in their communities, continue their education, and work together with their families and communities to address the problems that led to their delinquent conduct, make reparations for any harm they caused, and develop the skills they need to succeed. Research demonstrates that common elements to effective youth justice programs include treatments at home or in a home-like setting and treatments built around youth and family strengths.[58]

These programs are more effective and less costly[59] in addressing problems that led to youth contact with the courts and in developing the skills youth need to succeed. Examples of successful programs include:

- Restorative justice mediation models in schools, which have proven effective in resolving conflict, developing young people's skills and sparing school districts from paying for more costly zero-tolerance interventions[60]
- 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[61]
- Rigorous career and vocation training programs like YouthBuild, which serves many court-involved youth by joining academic education with hands-on construction skills training[62]
- Intensive in-home therapy programs that offer three- to five-month counseling services for youth and families[63]
- Community based, owned, and operated alternatives to court, detention, and incarceration

While resource reallocation from coercion and control interventions like youth prisons toward more treatment focused interventions like intensive in-home therapy programs are helpful, survey and focus group participants were clear that what's most needed to support their children's success is not the most successful therapy program, but direct investments into communities. Focus group participants overwhelmingly supported justice reinvestment—the reallocation of government resources away from failed tough-on-crime policies and toward investment in families and communities most harmed by them.

"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 lives. When you lock kids up they're not doing anything, they just become more angry and hurtful, and when they come out they'll do worse things than what they got locked up for. I just want to remove that filter from their mind. That thing that blocks their understanding of what the true story is. If everyone could just understand each other on a different level—that's what I would do with my magic wand. Take that filter out so that everyone could be on the same page, and say, 'Oh—that's what happened.' Instead of the bias, 'Oh—they're bad, they're black, lock 'em up,' just say, 'Oh—they're people too, they committed mistakes,' and work with that."

—Youth, Massachusetts

Youth Prison Closure Celebration Stockton, California

Photo Courtesy of Books Not Bars/ Xiomara Castro

START INVESTING IN FAMILIES AND COMMUNITIES

Reversing the misguided incarceration epidemic could save the United States billions of dollars. The United States spends nearly $70 billion per year to incarcerate adults—a figure that excludes the costs of police departments, courts, lost wages of incarcerated persons, and the cost of confinement of youth in the juvenile justice system.[64] More important than the financial bottom-line is the bottom-line of communities that have suffered as a result of failed justice policy.

As a matter of equity and public safety, these dollars 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 are the building blocks of strong communities.

1) Invest in Community Based Reconciliation

Families care a great deal about community safety and well-being. Their understanding is all the more acute because many have themselves survived a crime. Nearly half of family members surveyed either personally survived a crime or had 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 indicates that families who have experienced crime are especially attuned to how the current juvenile justice system makes bad situations worse and, more often that not, does more harm than good.

The current justice system, with its overwhelming emphasis on punishment, treats youth, as well as their families and communities, as merely perpetrators of violence, objects of shame and blame, driving divisions in communities and ostracizing youth and families.

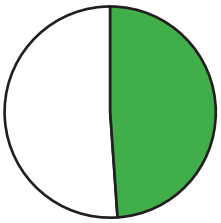
As a paradigmatic shift in the approach to youth justice, families are calling forward a new youth justice system that begins with the recognition that within each family there are 'victims' and 'offenders,' and that harm is caused by violence in communities but also by the violence on communities wrought by failed justice strategies. A 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. The new youth justice system would recognize that youth, their families, and their communities can be, and are, agents of transformative change.

A new youth justice system would not just insert families into existing decision models but ultimately embrace entirely different decision-making and engagement models when youth are arrested, or when they face disciplinary sanctions in school.

One such model is that of "restorative justice." Unlike traditional juvenile courts which have been shown to negatively impact young people[65] and their families, restorative justice models that use approaches such as Family Group Decision Making, Peer Juries, Positive Behavior Supports in Schools, and Community Conferencing can: (1) offer harmed parties the opportunity to participate in the process and help determine the appropriate sanction; (2) sensitize the young person to the human impact of his or her behavior, and require them to accept responsibility and take action to repair the harm; (3) allow all parties to connect with resources in the community; and (4) tend to build on the strength of communities to resolve conflict. Family Group Conferencing gives the parents and families of accused youth the opportunity to participate in the process and take collective responsibility for guiding their child to make amends, complete their required sanctions, and reverse problematic behaviors. These approaches can either be employed in schools to support a culture of peace and learning, and replace a formal court process.

The Family Group Conferencing model has been implemented with favorable results in New Zealand,[66] Australia,[67] Northern Ireland, Baltimore,[68] and Hawaii[69] among other places, both in less serious cases as well as with youth accused of the most serious crimes.
For example, in Northern Ireland, more than 5,000 youth were referred to restorative justice conferences from 2003-04 (when the program began)

through 2007-08. This included youth charged with a wide range of offenses: one-fourth were accused of "serious" or "very serious" violent crimes. Harmed parties participate in two-thirds of all conferences, and nine of every ten participants were satisfied with the conference outcomes and would recommend the process to others. Youth who go through the conference process have a lower recidivism rate than youth placed under community supervision or committed into custody, and thanks to Northern Ireland's extensive use of conferencing, the number of youth placed in custody fell 30 percent from 2003 to 2006.[70]



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

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

2) Invest in the Building Blocks of Safer Communities

In 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 confirms their analysis that what's most needed to make communities safe is not an increase in police or prisons but an investment in the human resources and physical infrastructure of their communities. The provision of basic human needs and social services such as education,[71] employment [72], affordable housing,[73] and drug treatment [74] are positively associated with increased public safety.

Reversing the misguided incarceration epidemic could help 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. Chicago high school students initiated a peace-building program that enabled the school to use resources formerly spent on metal detectors and security guards to fund leadership and academic programs. In Louisiana, families led a campaign to convert a closed youth prison into a community college. Texas legislators used funds that would have normally been used to expand the number of prisons to fund alternatives to incarceration and a Nurse Family Partnership program that pairs low-income first-time mothers with nurses.[75]

The over-reliance on prisons resembles a public-safety Ponzi scheme. Although the scheme has already collapsed, devastating communities in its wake, too many still see incarceration as the primary public safety strategy. Local, state, and federal governments continue to throw money behind the failure.

Justice systems can begin a process of restoration by investing in youth and family-centered solutions that increase the informal community controls that make communities safe. Investing in job-oriented youth justice programs can help prepare youth to succeed in the long-term. Transferring specified probation department duties to paid community and family partners through the use of peer-support programs can help create a more collaborative-minded department and increase the incomes of low-income families. A deeper investment in restorative justice practices, including community conferencing, can help strengthen community problem-solving capacity and reduce reliance on costly interventions. Finally, reinvestment in the building blocks of communities, such as education, employment, health, and housing must be prioritized over funding incarceration. These are the kinds of changes that build true community trust and partnership because they help change the culture of institutions from the inside out. These are the kinds of changes necessary to build genuine community safety and the kinds of changes summarized in the 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

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 parents 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

Photo courtesy of
Richard Ross

CONCLUSION: 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 policy conversation and convened fora
- 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 healthcare, and other building blocks of thriving communities

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

METHODOLOGY - RESEARCH JUSTICE

Justice for Families and DataCenter Data Analysis Workshop, Baltimore, MD

Photo by Fayza Bundalli

This research was conducted jointly by many organizations across the United States that together form the grassroots partners of Justice for Families. These groups include the Center for Community Alternatives, Citizens for Second Chances, Community Connections for Youth, the Community Rights Campaign, Families & Allies of Virginia's Youth, Families and Friends of Louisiana's Incarcerated Children, Families for Books not Bars, Families Organized for Reform of Juvenile Justice, the New Jersey Collaborative, Spirit House, Texas Families for Incarcerated Youth, and the Youth Justice Coalition. All of these organizations are working to support youth and transform the juvenile justice system both nationally and in their cities, counties, and states. Together, Justice for Families and DataCenter, our research partner, surveyed more than 1,000 family members of juvenile justice system-involved youth, and conducted twenty-four focus group sessions to document their experiences with the youth justice system and solicit their thoughts about how that system needs to change.

The research methods used in this report not only recognize the expertise of families, but also engaged them directly in all aspects of the research process. By orientation, our research approach privileges the engagement of those who are directly impacted by an issue or policy to determine how the given issue is studied. As a transformative research agenda, it challenges structural inequalities in knowledge production and access to information, and seeks to center community knowledge and leadership in movements for social change. We call this Research Justice. [76] Together with families, we developed the research design, tools, data collection processes, and analysis. Utilizing a participatory action research model, informed by a research justice approach, the Justice for Families research team sought to analyze the experiences of families confronting the juvenile justice system, the impacts of the juvenile justice system on families and communities, and the vision for change held by families. The study sites in California, Texas, Virginia, Missouri, New York, Louisiana, New Jersey, North Carolina, and Illinois were chosen based on capacity on the ground for families to engage directly in the research process. Nevertheless, we argue that the pool meaningfully reflects a broad sample of families across the country, including the East, South, Midwest, and Western United States. We reviewed hundreds of news articles in order to understand the way in which families are portrayed, and the material impacts this portrayal has on families and family engagement. Finally, we sought working models and case studies that provide promising new directions for a transformed system.

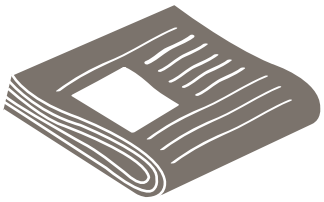
RESEARCH DESIGN

Literature Review

Researchers conducted an extensive literature review in order to assess the history and current state of juvenile justice in the United States, including juvenile justice policy and prevention efforts. The literature review also included an extensive analysis of system and community alternatives to zero-tolerance school discipline procedures and traditional juvenile justice system court processing and adjudications. The research advisory board as well as legislators, advocates, and juvenile justice system officers were also consulted to identify relevant literature and case study materials. The literature review informs both the analysis in the report, as well as provides

many of the case studies presented in this report.

Media Review

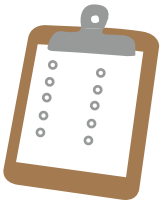


Researchers analyzed media in order to identify dominant themes in coverage and analysis of youth and families in the juvenile justice system. Two hundred and seventy-two articles (approximately twenty-five articles per city) in eleven local partner metropolitan areas (Los Angeles, CA; Oakland, CA; Houston, TX; Arlington Area, VA; St. Louis Area, MO; New York, NY; New Orleans, LA; Camden Area, NJ; Durham, NC; Lake Charles, LA; and Chicago, IL) were analyzed in total, all published within the last twelve years. The cities selected represent the cities in which the local partners of the Justice for Families alliance members carry out their city and state level work. Articles were identified from major papers based on coverage of juvenile justice issues and cases. The majority of the articles were identified using Lexis Nexis, Newsbank, and ProQuest except when major papers were not available in these databases and were therefore directly queried using other databases. A minimum of fifty articles were selected, and in each city at least twenty-five of the articles selected explicitly included discussion of the families of the youth. Researchers analyzed major themes that emerged nationally and in each city, as well as specific themes, including discussion of youth violence, discussion of violence prevention, current practices in juvenile justice, the impact of incarceration on youth and families, and the portrayal of the families of youth involved in the juvenile justice system.

Family Focus Groups

Twenty-four focus groups were held in twelve cities with a total of one hundred and fifty-two people. Focus groups were conducted in-person in the following metropolitan areas: Los Angeles, CA; Oakland, CA; Houston, TX; Arlington Area, VA; Cape Girdeau, MO; Bronx, NY; Brooklyn, NY; New Orleans, LA; Camden Area, NJ; Durham, NC; Lake Charles, LA; and Chicago, IL. The focus group design was informed by the research advisory board, and completed with partner organizations using a participatory model. Trained members of each partner organization conducted focus groups locally with family members of juvenile justice system-involved youth. The focus groups were transcribed, and a coding schema was developed by families and researchers during participatory analysis workshops. Researchers analyzed the focus group data using the NVIVO 9 software program. The majority of the quotes throughout the report were taken from these focus groups. In addition, individual family members volunteered to share their stories, and these stories are present throughout the report as "Profiles in Courage."

Family Surveys



One thousand and thirty-nine surveys were conducted with the family members of youth involved in the juvenile justice system. The survey design was informed by the research advisory board, and designed with partner organizations using a participatory model. Trained members of each partner organization conducted face-to-face surveys with family members. Surveys were collected in nine states including California, Illinois, Louisiana, Missouri, New Jersey, New York, North Carolina, Texas, and Virginia. Survey participants resided in a total of twenty-one cities within these states, and surveys were conducted in English and Spanish. Survey data was analyzed using SPSS 17 statistical analysis software. Participatory data analysis workshops were conducted with partner organization members as part of the interpretation of survey findings. In each city, families were surveyed in order to explore and document their experience with the court process, juvenile detention, and prison, schools, probation, and re-entry.

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First and foremost, we would like to thank the families who so generously shared their time, experiences, and wisdom over the course of this project, in focus groups, surveys, interviews, and workshops. Your stories and vision are the heart of our work.

We would like to thank the members of the J4F Alliance (see research team above). It is your dedication that made this project possible, and because of your work that so many families are able to find the information, support, and solidarity to take action in their struggle to stand with young people.

We would like to extend our gratitude to the dedicated members of the research team – our research partner, DataCenter (Christine Schweidler, Saba Waheed), the members of the J4F Alliance (Zachary Norris, Grace Bauer, Rukia Lumumba, Delores Moody, Ethan Ashley, Kelly Orians, Jeanette BocaNegra, Ruben Austria, Patricia Berry, Barbara Lott Holland, Patrisse Cullors, Liane Rozzell, Almeda Harrington, Ernest Johnson, Connie Walton, Gina Womack, Owen Li, Sumayyah Waheed, Laura Brady, Debra Mendoza, Tracy McClard, Tracey Wells-Huggins, Jason Huggins, Nia Wilson, Racheal Derello, Tarsha Jackson, Winnifred Curry, Grace Warren, Kim McGill, Danae Tapia and Tanisha Denard), and our Research Advisory Group members (David Harris, Dominique Apollon, Jason Zeidenberg, Johanna Wald, Leon Caldwell, Leslie Paik, Nel Andrews, and Seth Wessler). Special thanks also to Connie Heller and Fayza Bundalli for wisdom and workshop support. Finally we thank all the interns and volunteers for their tremendous contributions throughout the project.

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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 at the 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 The 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 Office, The Annie E. Casey Foundation

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