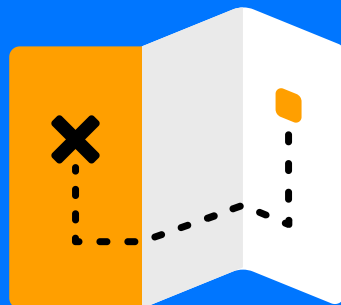


ROAD MAP to REFORM

achieving individualized supports for
youth in the juvenile justice system



PRESENTED BY
JUVENILES FOR JUSTICE
a program of JUVENILE LAW CENTER

A YOUTH-DRIVEN ROAD MAP

THANKS

Thank you to Juvenile Law Center staff and Ms. Marcia and Ms. Cathy. Thank you to the Philly Homes 4 Youth Mental Health Coalition for your support at the beginning stages of our project and your feedback on our road map- . Thank you to the Philadelphia Juvenile Unit and an extra special thank you to Ms. Ebony Wortham and the Juvenile and Diversion unit

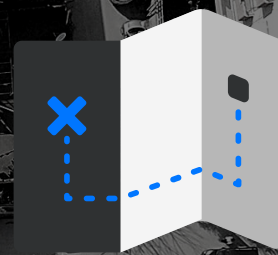
A PUBLICATION OF
JUVENILES FOR JUSTICE
a program of
JUVENILE LAW CENTER

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& OUR YOUTH ADVOCATES
DEVINE, I-SHA-LE, DEVON,
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Juvenile
Law Center

ROAD MAP to REFORM



SUPPORTING AND BUILDING ON TRANSFORMING JUSTICE

The only country in the nation that sentences children to die in prison, the United States, has a long-standing history of mistreatment and discrimination of children and youth; particularly youth of color. Compared to white children and youth, children and youth of color are more likely to enter the juvenile justice system and receive higher sentences. Nationally, in 2015, Black youth were incarcerated at a rate 6 times the rate of white youth, and Latinx and Native American youth were incarcerated at rates of 2:1 and 3:1. This report seeks to highlight more of the systemic challenges and the racial inequities associated with mass incarceration of children. This report was written by youth in collaboration with program staff. In the report, youth share real life accounts of their experiences of incarceration, the impact it had on their lives, and their solutions for change.

You'll find stories and perspectives from our youth advocates highlighted like this throughout the report.

"I got into an altercation that got worse when we got back to school. Maybe if school staff had more concern for students outside of school, the altercation never would have happened. I don't think the altercation needed to have been reported to law enforcement. I believe the school could have resolved the situation with us. Instead, I was sent to a juvenile placement and had to attend an alternative school - instead of being sent there I could have been part of a restorative justice meeting to resolve our problems.

DEVON

OUR DEMANDS

1

DEVELOP ANTI-RACIST PREVENTION SERVICES THAT WORK AND SUPPORT YOUTH

The system should provide all youth opportunities for rehabilitation that are not tied to the system. However, for many youths, and particularly youth of color, these are not available options before adjudication. For example, Black children are more likely to be incarcerated and less likely to receive diversion compared to white children. For many of us, who identify as Black, and Latinx, we believe we would have benefitted from diversion and being offered supports that would have addressed the needs and challenges we were facing that contributed to us entering into the system. We believe that we need a better system of services for youth, especially for Black, Latinx, Native American and other youth of color that are outside of court, are community-based and youth-centered. We especially need to enhance services in schools to support students rather than arrest them and trigger court involvement. We know that youth experience better outcomes when they receive culturally, and developmentally appropriate services designed to support child and adolescent behaviors and needs. For youth with court and justice involvement, these services must include options for diversion and youth-based programming instead of direct juvenile placement.

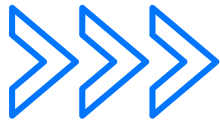
“Cops didn’t listen to me when I said I did nothing. They did not wait to gather all the information first before arresting me.”

JIHID

“The school should have responded to the situation in a different way. The school should have just suspended me from school for a couple of days.”

DEVINE





Schools should have extracurricular activities, group counseling sessions or affinity groups, that make students feel safe and welcome in school. **DEVINE**

THE CHANGES WE NEED TO SEE

- a.** Allocate funding for counties to expand programming for youth in their communities. Increased funding for programming allows youth to have their needs met with supports from the community, and can enable families to have more access to preventative services that can divert youth and families from ever coming in contact with juvenile court.
- b.** Increase county funding for diversion programming. All counties should have access to increased funding for diversion that looks the same across the system so that more youth of color and youth in low-income communities have access to diversion resources.
- c.** Increase eligibility for diversion and other programming that divert youth from court. Increasing eligibility for diversion programming increases racial equity by diverting more youth from different backgrounds, experiences and offenses from the juvenile court system.

“Support staff, like counselors or social workers, should be required to meet with students who are experiencing bullying or trouble in school one-on-one outside of the classroom. Adults in the school (teachers, counselors, administrators) never asked me about what I was going through.”

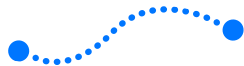
DEVINE

2

USE RACIAL IMPACT AND COMMUNITY ASSESSMENTS TO INCREASE EQUITY FOR CHILDREN AND YOUTH

No youth should ever experience mistreatment because of their race, skin color, gender, sexual orientation or zip code. Many of us did. We should have all been treated with respect and felt safe in these placements- but we were not. We should never have had to endure a racially biased system and have our sentencing in part determined by our neighborhoods or racial backgrounds. We need a just system that gives true justice and does not overly punish Black and Brown communities.

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"The police never asked me questions about my family or life situation after my altercation at school. I was just placed." at school. I was just placed."

DEVINE

"The judge only listened to one side and did not ask me about the situation. She also made it seem like I was angry while in court. The judge could have listened by actually asking me what happened, instead of just going by what was on paper."

JIHID

“The judge never asked me about the situation or tried to see where the problem began.”

GENESYS

THE CHANGES WE NEED TO SEE

- a.** State and county Juvenile Justice agencies must Contract with an external group to complete racial impact assessments of juvenile justice placements. To reduce bias during an assessment of the quality of placements, state or county juvenile justice agencies must not complete racial bias assessments; they must contract out this work. Information from the assessment should be used to decrease the number of youths placed in these facilities and lower racial disparities.
- b.** Conduct community assessments to assess other external factors that contribute to the mass incarceration of children and youth, particularly Black, Latinx, and Native American youth, and other youth in other communities of color. This is critical to seeing a full picture of the community and determining if things like poverty, increased policing, and racial profiling rates contribute to why certain communities may have more children and youth engaged with law enforcement and in juvenile placement (for example: Black and Brown people are targeted by the police in urban communities; racial profiling of communities are “entry points”).
- c.** Conduct racial impact assessments within District Attorney and Public Defender offices. It is critical to assess both our DA and Public Defender offices to assess the quality of representation that youth receive and to begin to address why Black, Native American, Latinx and other youth of color often receive longer and harsher sentences compared to their white peers even when youth commit the same crimes. Many low-income youth and youth of color do not understand their right to legal counsel. For example, many of us did not understand our cases, and some of us felt pushed into accepting deals we did not understand. To attack racial bias at its core, we must start at the time of arrest, and when youth enter the court room.



3

INCORPORATE RACIAL EQUITY STRATEGIES AT EVERY STAGE IN THE JUVENILE JUSTICE PROCESS

To eliminate racial inequities in the justice system, you must attack it at every stage in the juvenile justice process. Every person, agency, community, and family must be involved in this process to truly achieve equity.

THE CHANGES WE NEED TO SEE

- a.** Diverting youth for minor offenses, status offenses or truancy to end perpetuation of racial disparities in placement rates for these offenses.
- b.** Developing community-based solutions to eliminate racial profiling of children and youth of color.
- c.** Requiring county agencies to work with police to eliminate racial profiling in policing especially if there is a high percentage of youth of color entering or remaining in their justice systems.

“In court, the judges never asked me about what my situation was; he never wanted to hear my point of view. I could have been given a warning, but instead was kicked out of school and sent to different facilities. The facilities affected my learning and how I fit in with others.”

DEVON

“The judge could have sent me to a program or a center instead of sending me to a juvenile placement where I was mistreated.”

JIHID

- d.** Providing ongoing training on implicit and explicit racial bias to all juvenile justice staff and personnel.
- e.** Developing strategies to eliminate targeting of youth and families of color who live in poverty or low-income communities that historically have had limited access to resources and community-based supports (for example: We know poverty is often a factor as to why youth are profiled). There are communities in Philadelphia that we know have little or no community resources- some neighborhoods lack after-school programming, libraries, rec centers, etc. and are food deserts. Counties must assess if this impacts why children and youth are more likely to enter the criminal system and then develop budgets and plans to address the specific community needs.)
- f.** Requiring ongoing trainings for new and seasoned attorneys and District Attorneys on adolescent development, engaging youth in court, and developmentally and culturally appropriate access to counsel for children and youth.

"I believe that discrimination was at play throughout my case because the store manager was white. I felt the eyewitness evidence was untruthful, but there were not consequences for this person. There was also video footage, which law enforcement could have worked harder to get. I do not feel like people listened to me or fought to get this information for my case. If so, I may have had a different outcome in court and maybe would not have experienced the things I did, and for as long as I did in placement."

I-SHA-LE

"During court, no one explained to me what was actually going on. I was not told what certain words meant or told what pleading guilty meant in my situation. No one walked me through the court process."

I-SHA-LE

"In court no one explained to me what was going on. The only thing I understood was that I was being placed."

LILLY



4 ASSESS AND EXPAND THE SPECTRUM OF SERVICES FOR YOUTH AND FAMILIES

Assessments of services must be done to analyze what community services are available and needed in communities. This is important as we know the value in having access to enough quality resources in communities. Specifically, many of us did not know of many youth led or youth programs within our communities or we had trouble accessing them because they were not youth friendly. Overall, all communities need access to a wide range of diverse community-based supports. A cross-systems service inventory must be developed to support youth and families.

THE CHANGES WE NEED TO SEE

a. Expand the needs assessment to:

- Assess the amount of time youth are expected to be placed, types of placements youth are sent to (secure, adult) - this must also include looking at disproportionality and unpacking external factors why certain youth and communities are most impacted in each county by mass incarceration.
- Develop plans to involve the community to include their opinions, especially including the young people affected by these systems. This is imperative to include youth in assessing the needs of services because we know the resources we need, what we can use more of, and where we see gaps in resources. Including us, also gives us an opportunity to be heard and to advocate on behalf of our communities who have not typically been represented at the decision-making table.
- Include educational support assessments, by county and school district, in the needs assessment to fully support and address the needs of children and youth impacted by these systems. We know too well how much a negative experience in school can contribute to youth entering the justice system. For youth coming from low-income districts, having access to a quality education can be challenging.

b. Expand on the continuum of services available for communities to prevent youth and their families from ever touching the justice system

Expanding services for communities is vital to increasing equity for communities and allowing counties to address and assess the critical and specific needs of different communities. Needs assessments should be used to expand services available prior to youth arrests, and after. This is imperative to address inequities, discrimination and mass incarceration at the root- by unpacking community needs or lack of access to resources that may be contributing to things like unemployment, low access to education, extreme poverty, all of which contributes to high policing, arrests and involvement in foster care for families.

“There were no questions asked about the circumstances surrounding my probation violation - I had to pick my sibling up from school. I was just picked up and sent back to the juvenile placement where I had been two months ago.”



“Being in placement affected me graduating on time. I tried to go to a public school in another district, but the juvenile placement lost my transcripts so I couldn’t go to a regular I THOUGHT, “I’M GOING INTO THE 11TH GRADE WITH ONLY 11 CREDITS.” My mom and my aunt were trying to recover my lost transcripts. I was forced to go to a cyber school in Exton and be re-evaluated for grade level, since I didn’t have any credits. I ended up being placed in the right grade level and graduated from cyber school.”

JIHID

“I finally was placed after three months; I was put into a group placement that was supposed to be for a year but they dragged it out for two years.”

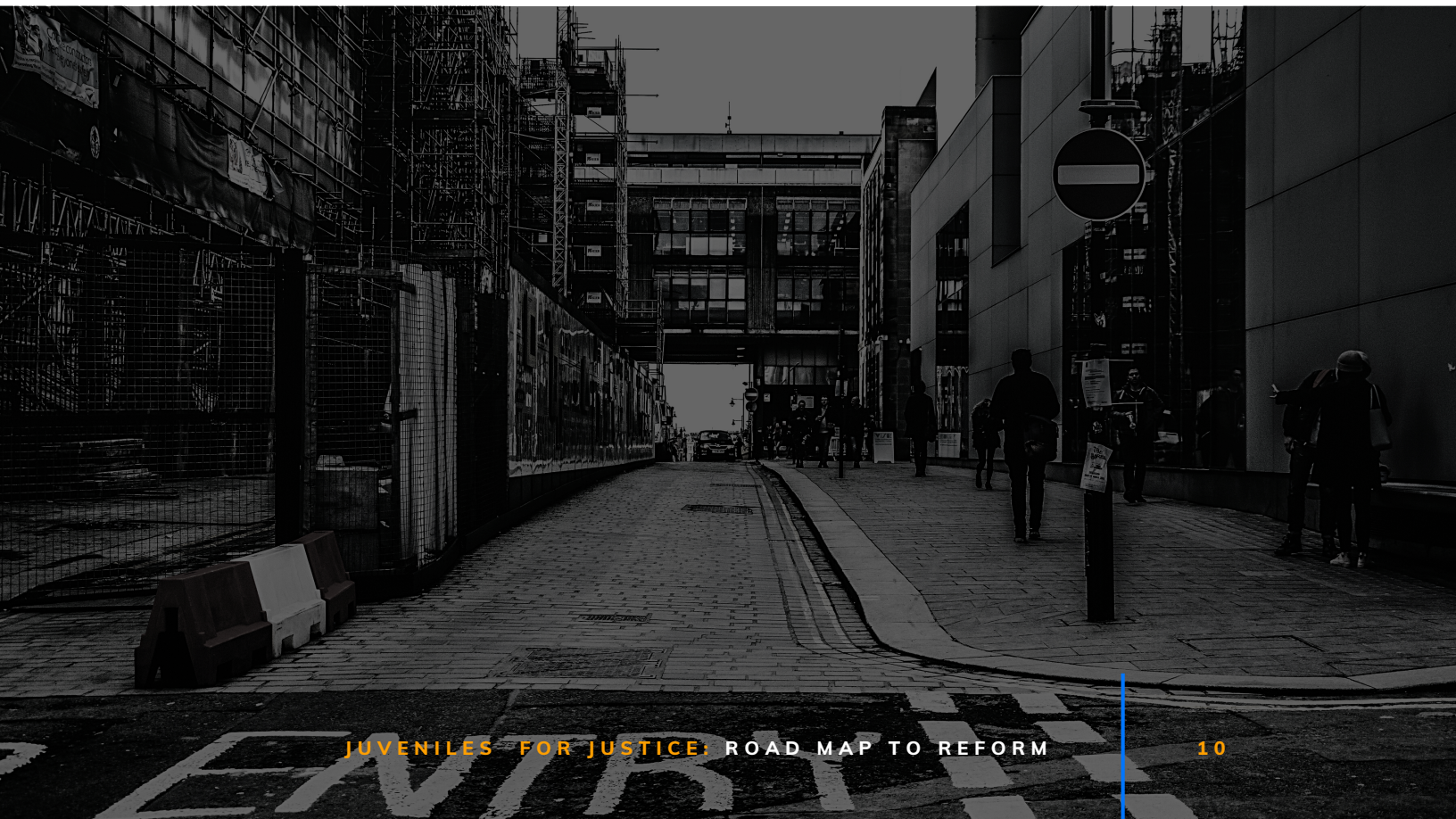
GENESYS

5

REDIRECT FUNDING TO FAMILY-CENTERED, COMMUNITY-BASED SERVICES THAT WORK



Youth need to have access to services and individualized supports so they can continue to grow and be successful. For many of us, we needed connections to family-based supports to stay with our families and address family needs. We also needed connections to other community-based supports and activities that promote our growth - programs like Juvenile Law Center's Youth Advocacy Program, therapeutic supports, and educational supports to continue in school after we returned to our communities. Having connections to these kinds of resources are important for families to help them sustain themselves outside of the justice system. These supports need to be culturally responsive and must meet communities where they are and address racial, ethnic, culture, and other factors that make up communities and target community members for an increased likelihood to be in these systems.

We agree with the Transforming Justice Recommendations: funding for family- and community-based alternatives can be expanded through federal child welfare funding. We also agree that counties should be encouraged to claim Title IV-E dollars for family and community-based options for eligible youth; and that prevention, independent living and other child welfare services be available to youth in the juvenile justice system.





THE CHANGES WE NEED TO SEE





a. Increasing access to funding and community-based options for youth by:

-  Investing in family-and community-based supports and other family-based placement options. This increases equity by ensuring youth have access to family-based supports to sustain their family units- it helps to restore broken bonds severed by system involvement.
-  Developing a community engagement plan that includes talking with communities about their needs and recommendations. Community engagement is always a vital component to changing any system, especially including communities who are overrepresented and impacted by the system to be a part of the solution.

b. Providing guidance to providers to convert models away from residential placement

-  Expanding programming options for youth with justice involvement that do not require ongoing court involvement
-  Developing comprehensive services for youth still in or exiting the justice system that mirror those available for youth with foster care experience. This is important because we know that having access to support once you leave the system and services that do not require ongoing court supervision can have positive outcomes for us.

c. Ensuring communities have a wide array of culturally responsive programming. This must include:

-  Talking with communities about their needs.
-  Ensuring staff in these programs represent communities most impacted to truly be a culturally competent program.
-  Designing and/or investing funding in programming that is both culturally responsive and supports ethnic and cultural practices among communities; programming should be diverse with an intentional process to ensure it is also led by communities of color and those most impacted by the system.
-  Ensuring real emphasis from the community about their needs and input, on diversifying services (this includes getting the communities input on identifying what programs already exist, gaps in programming, and the types of programs and services most needed for communities).



CREATE CONCRETE STRATEGIES AND OPPOTUNITIES TO LISTEN TO YOUTH AND FAMILY STORIES AND THEIR EXPERTISE ON JUVENILE JUSTICE REFORM

Youth and family leadership is important. Systems must rely on and include families, youth, and communities that have bene historically disenfranchised by these institutions. We know how important it is to be heard and respected for sharing our truths and recommendations after being a part of Juveniles for Justice. When we provided leadership together to reform the justice system, we're building a support system where people listen to what we have to say. When we know we have people in our corner to support us and fight for us, we can get through anything. We believe it is essential for all youth and families to be relied on for their leadership because no one knows our communities better than us and we know what to look out for, and what is best for us.

Overall, we agree with the Transforming Justice Recommendations to establish a statewide youth and family advisory group and support county-level advisory groups comprised of youth, and families impacted by the system, advocates and community activists from communities most impacted by mass incarceration. We believe that providing this support and ensuring there is always significant youth and family participation in all stakeholder groups and task forces is meaningful and can help solve the problem of youth incarceration. In addition, for this process to be successful, we believe there is also a need to implement participatory budgeting to ensure that families and youth are compensated for their contributions and time so they can actively engage in the work.

We specifically support the recommendation to ensure that families and youth are paid for childcare, travel costs, etc. to participate in these meetings and this engagement.



CLOSING

We have seen firsthand how the juvenile justice system does not uphold its mission- to rehabilitate children. Instead, the United States juvenile justice system has continued its repeated history of over-policing, arresting, and sentencing Black, Latinx, Native American children and youth. As youth who come from, or have friends and families in these communities, we want and demand justice from this system that has discriminated against, harmed, broken, and kept children and youth housed with poor, or no resources to maintain their well-being and returned us home with even more trauma.

During a pandemic where so many people are suffering and dying daily, we think of our peers and those youth still incarcerated and the many challenges they will face as a child, locked away in a system that is not designed to care for them. It is because of those who come after us that we feel obligated to do this work and really hold this system accountable for its history, racial discrimination, lack of accountability. We owe it to the other children and youth locked away and future youth to begin to use a real cross system, youth centered, community approach to end mass incarceration of children in the United States. We hope that in reading this report, if you play a critical role in the lives of children and youth, you found tangible solutions to hold children accountable that do not require incarceration and do bring the desired outcome of rehabilitation and healing.

A YOUTH-DRIVEN ROAD MAP

ALTERNATIVES TO INCARCERATION FOR YOUTH IN THE JUSTICE SYSTEM

THE PURPOSE OF THIS TOOL AND HOW IT SHOULD BE USED

This roadmap is a strengths-based approach to problem-solving that is led by youth in their own cases. It is meant to serve as an unbiased review of needs and resources between the youth and their case worker. The main purpose of the roadmap tool is to provide youth with the space to lead the discussion on the mental health resources they may need, particularly to talk more about alternatives to therapy. Although we know therapy can be supportive to some youth, we do not think that mental health support is a one-size fits all model. The roadmap can assist youth and their case worker in exploring what types of resources would best fit the individualized needs of the youth. This tool should not be used for any mental health or medical diagnoses; case workers should refer to medical professionals for those purposes. Housing recommendations for youth should not come from this document. Information documented in the roadmap cannot be negatively used against a young person's case. This document cannot negatively impact the way in which case workers or attorneys represent their client.



DIRECTIONS



FOR EVERYONE

Fill out the roadmap with your own personal experiences. Identify when resources could have been given to better support you and your mental wellbeing in that time of your life and now. Think of the supports as “off ramps” to a highway where you could have gotten the support you needed. Be specific about these supports and who would provide them. This activity serves two purposes 1. To have the young people in care be in the driver’s seat and pick their support and safety net and 2. To provide a cathartic or therapeutic experience for a young person who may think all of the bad things that happened to them is their fault- it is not.



FOR YOUNG PEOPLE

Think about major events in your life specifically around your experience in care (right before you entered care, when you had to leave your home, various placements). Write down the events in order on the road (only write down what you are comfortable sharing! Your experience is your own and you do not need to share the details!) Once you complete the road, think about all the times that better support could have helped you transition through these major events or even prevented some bad things from happening. On the off-ramps, write down what resources you could have been given to better support your journey in care AND who should be providing the support (case worker, foster parent, family member, other supportive adult, counselor). Think of these supports as helping your mental, physical, and social wellbeing. Remember to be specific about your needs!

DIRECTIONS



TIPS FOR FILLING OUT YOUR ROAD MAP!

- » List all your experience first before putting them on the roadmap to organize your thoughts.
- » Find a place (a safe haven) you feel most comfortable filling out the form. It is okay if you do not feel comfortable filling it out in front of your case worker in their office: at home, at school, at a park, or at a friend's house.
- » Find someone you feel most comfortable with to fill out the form: a friend, a trusted adult, a therapist, or by yourself.
- » Don't feel rushed to fill out the roadmap!
- » Think outside the box for resources (therapy is awesome, but so is mural painting, peer mentorship, internships, and pick-up basketball.)
- » Take a photo of your roadmap on your phone when you are finished in case you lose it!



PLEASE NOTE

Case workers are mandated reporters! To ensure your safety, if they hear about the possibility of abuse or neglect to a minor, they have an obligation to report it. If you have questions about how the information you are sharing will be used, you can stop and talk to your attorney.

DIRECTIONS



FOR SYSTEM PROFESSIONALS

Before having your client fill out this road map, please be sure to inform them about safe ways to discuss concerns when describing personal experiences and support they need. Be transparent about your role as a mandated reporter and offer ways for your client to talk about the needs they have without worrying that they or someone they love will be reported. This tool should be used when a young person enters into care or any changes happen in their life like a placement change, being assigned to a new agency or service provider, or when they go through a challenging situation. This tool can help establish a trusting relationship with your client if used correctly. It can also provide a clear description of what your client knows they need to feel safe and supported. When you have decided to share the roadmap tool with your client, offer them the example, show the accompanying videos, and fully explain the 'General Directions' and 'Directions for Young People' to fill out the form. Allow your client to take their time filling out the document. You can offer to have them fill it out on-the-spot with your support or you can offer that they fill it out in a location that feels most comfortable to them (alone or with a trusted friend or adult). Be sure that each support has someone accountable for administering that support (yourself, the foster parent, a family member, the attorney, a school support, a counselor, etc.)



DIRECTIONS

TIPS FOR COMPLETING THIS DOCUMENT

- » Do not use this tool during the first interaction you have with your client.
- » Explain to your client what this tool is and how it will be used.
- » Prepare them for when they will be expected to fill out this tool.
- » Continue to remind your client that they do NOT need to share experiences they are not willing or ready to talk about.
- » Provide an alternative way to complete the document if your client is uneasy about writing down their experiences.
Example: "Write down your experiences for only you to see and just share your suggested prevention supports to me."
- » Listen to your client! Hear what they know they need.
If your client is struggling to identify the types of support they need, offer options and examples that are diverse and inclusive.
- » Think outside the box for resources (therapy is awesome, but so is mural painting, peer mentorship, internships, and pick-up basketball.)
- » Save a digital copy of the roadmap or the part of the roadmap your client wants to share in case it gets lost.

IMPORTANT INFORMATION

This tool should empower your client and encourage a trusting, open relationship between you and them. It should NOT be used as a way to punish your client if they fill it out in a way that you disagree with or if they struggle to fill it out at all. Make sure your client knows that you will not be sharing their roadmap with others.

CONFIDENTIALITY AGREEMENT

The purpose of this section is to facilitate the open exchange of information between any youth and any entity incident to consideration for or participation in this diversion program by preventing the use of information obtained from a youth in any future legal proceedings.

In accordance with 42 Pa.C.S. §6338, any statements, admissions or confessions, or incriminating information obtained from a youth at any point in this diversion program, shall not be admitted into evidence or otherwise used against the youth on the issue of whether the youth committed a delinquent act or criminal act under any statute governing delinquent offenses or criminal offenses.

Furthermore, any statements, admissions or confessions, or incriminating information obtained from a youth at any point in this diversion program shall not be admitted into evidence or otherwise used on the issue of guilt in any delinquency or criminal proceeding for any other individual. All information gathered in the course of the diversion process shall be held strictly confidential and shall not be released or disclosed without the youth's prior written consent.

These protections shall apply regardless of whether the youth successfully completes the diversion program. The provisions of this agreement (1) are in addition to and do not override any existing statutory and constitutional prohibition on the admission into evidence in delinquency and criminal proceedings of information obtained during screening, assessment or treatment.

YOUNG PERSON PRINTED NAME

YOUNG PERSON SIGNATURE

DATE

ADVOCATE PRINTED NAME

ADVOCATE SIGNATURE

DATE

MY ROADMAP:

an exercise for youth who have interacted with the juvenile justice system.

FICTIONAL
EXAMPLE

NAME: Camryn

1

I stole my friend's brother's car because I needed to take the SAT's and the testing location was far from my house.

3

The school should have the resources to hold the SAT's on location and provide transportation if needed.

If there were more testing sites, closer to my house, transportation would not have been an issue.

I was placed in a holding facility for two months.

5

Instead of being held, I could've been given community service.

The judge adjudicated me and I was sent to placement.

7

The judge could have dismissed the case or provided a placement, such as an evening reporting center.

2

They reported the car missing/stolen right away. I made it to the test site and started taking the SAT's. Police came in while I was taking the test and arrested me.

4

In court, the judge didn't ask me anything about myself or what had happened.

6

Placement affected my ability to graduate high school and go to college like I had planned.

Once the family found out it was me that took the car, they could have spoken to me and dropped the charges.

The police officer could have spoken to me about the situation instead of arresting me - AFTER I finished taking the SAT's.

The judge could have asked me questions about myself. If this was my first issue? What could have been done to support me? Maybe he would have dismissed my case.



MY ROADMAP:

an exercise for youth who have interacted with the juvenile justice system.



NAME

1

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3

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5

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7

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2

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4

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6

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