

IMPLEMENTING CHANGE:

LAW ENFORCEMENT'S ROLE IN ADDRESSING THE INTERSECTION OF HOMELESSNESS AND JUVENILE JUSTICE

Every year, an estimated one in ten young people between the ages of 18 and 25, and one in 30 young people between the ages of 13 and 17 will endure some form of homelessness while unaccompanied by a parent or guardian.¹ This equates to nearly 3.5 million young adults and roughly 700,000 young people under 18.² Youth experiencing homelessness are often cited, arrested, and/or incarcerated, instead of receiving the support they need. Youth may also be at greater risk of experiencing homelessness after juvenile justice involvement due to education disruption, their juvenile record, and other factors. A recent study conducted by the University of Chicago's Chapin Hall, showed that among youth who said they had experienced homelessness, 46 percent had also been in a juvenile detention facility, jail, or prison, as compared to 15 percent of the general population.

This brief was created to help law enforcement better understand their role in addressing the intersections between juvenile justice and youth homelessness.

The following principles and practice recommendations are meant to help law enforcement ensure that young people do not become justice-involved because they are experiencing homelessness, and similarly that they

46 PERCENT OF YOUTH EXPERIENCING HOMELESSNESS HAVE SPENT TIME IN A JAIL, DETENTION FACILITY OR PRISON, AS COMPARED TO 15 PERCENT OF THE GENERAL POPULATION

do not experience homelessness because of contact with the justice system. These recommendations are based on the Coalition for Juvenile Justice's "Principles for Change," a series of policy and practice recommendations that were developed in conjunction with the National Network for Youth, the National



League of Cities Institute For Youth, Education, & Families, and a panel of expert advisors from across the country. The Principles promote cross collaboration between local and state lawmakers, juvenile justice agencies, schools, police, State Advisory Groups (SAGs),³ and others to better support and serve youth, and to prevent or reduce youth homelessness. This brief outlines the Principles' application to law enforcement specifically.

Law enforcement professionals play a critical role in addressing the intersections of youth homelessness and juvenile justice. They are often the first point of government contact when it comes to youth experiencing homelessness with needed services rather than the justice system. This brief provides concrete practice recommendations to help law enforcement professionals implement the "Principles for Change" and help end the intersection of homelessness and the juvenile justice system for young people.

PRINCIPLES FOR CHANGE

"ENSURE THAT THE LAWS AND POLICIES IN YOUR JURISDICTION DO NOT LEAD YOUTH EXPERIENCING HOMELESSNESS TO BE CITED, ARRESTED, OR CHARGED FOR SURVIVAL ACTS OR "QUALITY OF LIFE" OFFENSES."



Law enforcement leaders should review, revise and develop department policies to provide officers more tools when encountering youth experiencing homelessness.

- State and local law enforcement department policies should ensure that youth are not cited, arrested, or charged for acts that stem from their lack of stable, secure, and permanent housing, including “survival crimes.” A “survival crime” is an illegal act committed to meet basic human needs, such as sleeping in abandoned buildings, begging in public, or stealing food or money or goods to buy food or pay for shelter.
- Department policies should create alternatives to arrest for officers encountering youth experiencing homelessness.
- Department policies should discourage arrest or charge when officers feel the need to protect youth experiencing homelessness by removing them from public spaces, and enable alternative options such as transport to a local homeless shelter or service provider open to youth experiencing homelessness.
- Policies should also empower officers to connect youth to services and avoid arrest when confronted with issues that lead to homelessness, such as domestic violence involving youth, high family conflict, or economic hardship.

“ENSURE THAT YOUNG PEOPLE ARE DIVERTED FROM JUVENILE JUSTICE SYSTEM INVOLVEMENT WHENEVER POSSIBLE, AND THAT ANY DIVERSION PROGRAMS OR SERVICES ARE APPROPRIATELY TAILORED TO MEET THE NEEDS OF YOUTH EXPERIENCING HOMELESSNESS.”

Law enforcement professionals should ensure that youth are not arrested, charged, or brought into the juvenile justice system for the sole purpose of providing housing. Justice system involvement, especially detention, can have negative consequences, such as poorer education and employment outcomes, and an increased risk of suicide.⁴ The needs of youths experiencing homelessness can be addressed through a wide range of resources, without confinement and other residential placements that can have an adverse effect.

- Law enforcement leaders should develop partnerships with service providers in their community, such as runaway and homeless youth programs that help provide alternative housing and drop-in centers, to facilitate alternatives to arrest policies.
- Law enforcement leaders can explore partnerships with service providers to transport youth out of public areas to avoid taking youth into custody and conserve officer time.
- Academy and in-service training for law enforcement officers, as well as roll calls, should include information about best practices and locally-available diversion options for officers who encounter youth experiencing homelessness.
- Law enforcement officers, especially those assigned to schools, should take the opportunity to partner on system-improvement efforts with schools, behavioral and public health agencies, runaway and homeless youth service providers, community-based services, and child welfare agencies. Collaboration with youth-focused organizations can range from requests for training to initiating joint response protocols.

Local example:

At the Lake Charles Police Department in Louisiana, law enforcement officials have improved their efficiency by creating a Multi-Agency Resource Center (MARC). MARC takes about 12 minutes of an officer’s time to process youth who come into the facility and refer them to services. The facility is used to connect a wide range of young people with services, including youth who have run away from home. Since the implementation of MARC, there have been zero youth prison placements for status offenses.⁵

“ENSURE THAT YOUTH, AND THEIR FAMILIES, ARE NOT KICKED OUT OF THEIR HOMES OR DENIED HOUSING BECAUSE THE YOUTH HAVE BEEN ARRESTED OR ADJUDICATED FOR A DELINQUENT OFFENSE.”

Law enforcement charged with maintaining safety in public housing have a particular responsibility to recognize the potential that any arrest of a young person can risk homelessness for an entire family.

- Robust training should be given to housing authority law enforcement agencies or other police assigned to public housing to ensure understanding and implementation of best practices related to youth and young adults and diversion options authorized in their jurisdiction.

“ENSURE THAT LAW ENFORCEMENT, COURTS, SCHOOLS, AND SERVICE PROVIDERS EMPLOY GENDER-RESPONSIVE AND AGE- AND CULTURALLY-APPROPRIATE TRAUMA-INFORMED RESPONSES WHEN WORKING WITH YOUTH.”

Law enforcement professionals should receive training in a range of topics including adolescent brain development and trauma. This can help law enforcement professionals identify and accurately assess how to best protect public safety and support youth experiencing homelessness. An Administration for Children, Youth and Families report states that 56.7% of youth experiencing homelessness in 11 cities had experienced physical abuse as a child, and at least 30% have been sexually abused.⁶ Traumatic stress can cause youth to be anxious, depressed, emotionally numb, or impulsive and can lead to conduct problems.⁷

- Explore resources available from Strategies for Youth, the International Association of Chiefs of Police, the Department of Justice and others to better understand youth and the effects of trauma on youth behavior.
- Departments already implementing Crisis Intervention Teams or Training (CIT) should add CIT for Youth.
- Law enforcement offices should recognize the trauma of an arrest, especially on young people, and implement policies and practices to reduce that trauma in the rare situations an arrest may be appropriate.

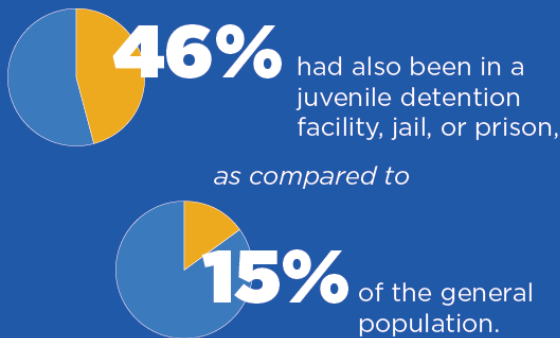
“ENSURE THAT EFFORTS PRIORITIZE LGBTQ/GNC⁸ YOUTH, YOUTH OF COLOR, AND OTHER OVER-REPRESENTED POPULATIONS TO ADDRESS AND REDUCE THE DISPROPORTIONALITIES THAT EXIST IN THE POPULATIONS OF YOUTH EXPERIENCING HOMELESSNESS AND/OR INVOLVED WITH THE JUVENILE JUSTICE SYSTEM.”

Youth who are lesbian, gay, bisexual, transgender, queer, questioning, and/or gender non-conforming (LGBTQ/GNC) and youth of color are overrepresented among youth experiencing homelessness and the juvenile justice system. Other populations that may be particularly vulnerable to homelessness and/or justice involvement, and their negative effects include youth with physical, behavioral, or cognitive disabilities and recent immigrants who may be undocumented and/or may not speak fluent English. For youth who belong to more than one of these groups, the risk may be even greater.

Local example:

Drop off centers in many jurisdictions, including Minneapolis and Portland, connect youth to needed services while saving law enforcement time and saving communities money. Community-based organizations run centralized drop off centers, sometimes called juvenile assessment and service centers, or juvenile supervision centers, where law enforcement can bring young people as an alternative to arresting them. A service provider or case manager for the organization then completes an intake and referral to an array of services that varies from one location to another (e.g., case management, beds, behavioral health services). Policies in some cities create the option for police officers to transport youth to these centers without any arrest report or official charge entering the record. (Officers may make a report on the interaction, just as they would any stop of an individual, but the young person does not carry a charge on his or her record.) See <http://thelinkmn.org/jsc/> and <http://bit.ly/2l8MXMS> for examples.

A recent study conducted by the University of Chicago's Chapin Hall, showed that among youth who said they had experienced homelessness,



- State and local training for law enforcement officers should include how to recognize and address bias, and to treat all individuals with respect, including those from different racial or ethnic backgrounds and those with a different sexual orientation or gender identity or expression.
- Law enforcement leaders should provide training, one-on-one guidance and monitoring of trends in arrest decisions that disproportionately affect LGBT youth or youth of color.
- Departments can utilize resources available from the Department of Justice and federal partners to support officers' awareness and actions when encountering LGBT youth or youth of color.

CONCLUSION

As front line professionals who come into contact with young people on a daily basis, law enforcement plays a major role in addressing the intersections of juvenile justice and youth homelessness. Through proper training, and by joining forces with city, county, and state leaders, homelessness programs, juvenile justice agencies, and other stakeholders, law enforcement can play a critical role in improving outcomes for vulnerable youth and ensuring that young people do not experience homelessness as a result of justice involvement, or come into contact with the system as a result of their lack of stable and secure housing.

For more information see "Addressing the Intersections of Juvenile Justice Involvement and Youth Homelessness: Principles for Change", available at: <http://juvjustice.org/sites/default/files/ckfinder/files/FINAL%20Principles%20-%20ons%20final.pdf>

Notes

- ¹ Missed Opportunities: Youth Homelessness in America. Voices of Youth Count, Chapin Hall. Available at http://voicesofyouthcount.org/wp-content/uploads/2017/11/ChapinHall_VoYC_NationalReport_Final.pdf. Last accessed Jan. 23, 2018.
- ² Id.
- ³ State Advisory Groups (SAGs) were created in the Juvenile Justice and Delinquency Prevention Act (JJDP). Each state or US territory has a SAG who gives feedback on the use of state's JJDP funds and is knowledgeable about the state's juvenile justice laws and reform. For more information on SAGs, click here.
- ⁴ Mendel, R. "No Place For Kids The Case For Reducing Juvenile Incarceration." (2011). The Annie E. Casey Foundation. Available at <http://www.aecf.org/m/resourcedoc/aecf-NoPlaceForKidsFullReport-2011.pdf>.
- ⁵ "Alternatives to arrest for young people." (2017). National League of Cities Institute For Youth, Education, & Families. Available at http://nlc.org/sites/default/files/2017-03/YEF_JuvenileJusticeIB_2015_WebV2.pdf.
- ⁶ The study asked about three different types of sexual abuse: being touched in a sexual way by an adult (30.1%), being forced to have sex (21%), and being forced by an adult to touch someone else in a sexual way (13.4%). "Street Outreach Program Data Collection Project". (2016). Administration for Children and Families and Youth Services Bureau. Available at https://www.acf.hhs.gov/sites/default/files/fysb/data_collection_study_final_report_street_outreach_program.pdf.
- ⁷ National Child Traumatic Stress Network Child Welfare Committee. Child Welfare Trauma Training Toolkit. Available at www.nctsn.org/products/child-welfare-trauma-training-toolkit-2008.
- ⁸ Lesbian, Gay, Bisexual, and Transgender (LGBT), Gender Non-Conforming (GNC).

This project was funded by Raikes Foundation, Tow Foundation, and Melville Charitable Trust.

For more information contact the Coalition for Juvenile Justice

Phone: 202-467-0864

Email: info@juvjustice.org

Web: www.juvjustice.org

Address: 1319 F Street NW, Suite 402, Washington, DC 20004

