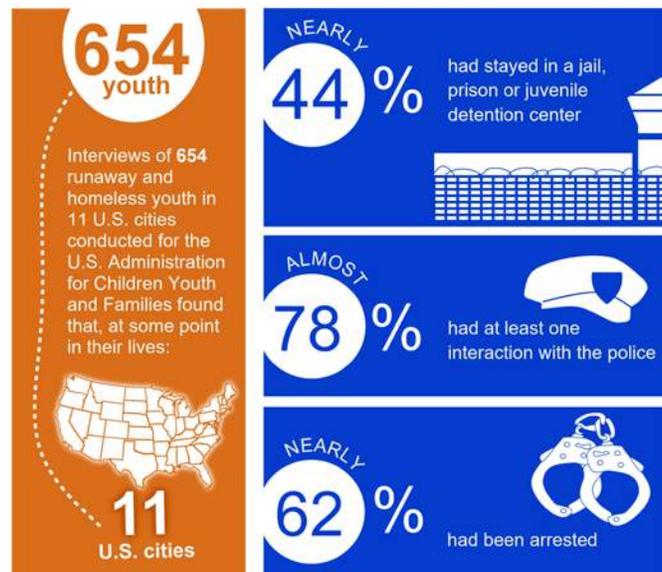


Youth Homelessness and Juvenile Justice: Opportunities for Collaboration and Impact

Each year, over 1 million youth will have some involvement with law enforcement or the justice system.ⁱ Nearly 400,000 will be on their own and homeless for some period of time.ⁱⁱ Although the data on the overlap between these populations is limited, we know that it is significant. A recent study interviewed runaway and homeless youth in 11 U.S. cities and found that nearly 44% had stayed in a jail, prison, or juvenile detention center, nearly 78% have had at least one interaction with the police, and nearly 62% had been arrested at some point in their lives.ⁱⁱⁱ In some cases this involvement may be due to lack of shelter or other necessities, such as when a young person is arrested for truancy after missing school due to the lack of stable housing, or theft for stealing food or money to buy food due to hunger. In other cases, youth who are arrested and released (either through a diversion program or after spending time in a juvenile detention facility) may become homeless because families are unwilling to let young people return due to family discord or because of restrictions imposed by landlords or public housing authorities.

There is also disproportionate representation of Black and Hispanic youth, as well as lesbian, gay, bisexual, and transgender (LGBT) youth, among those youth who are homeless and/or involved in the justice system. Homelessness and justice system involvement are negative and potentially traumatic experiences that have long term impacts and can hurt young peoples' chances for educational attainment, good health, and economic stability later in life. Unfortunately, these are not two distinct problems. There are specific ways in which homelessness can lead to involvement with the juvenile justice system, and vice versa.



Criminalization of Homeless Youth

Youth who lack safe and stable housing become involved with law enforcement and the justice system in many ways. Many state and municipal laws and ordinances make it an offense simply to be in public spaces at certain times, despite the fact that homeless youth may have no alternative.^{iv} For youth who have been kicked out of their homes, run away from unsafe conditions at home, or otherwise find themselves without a safe place to live, shelters are often not an option as they may have limited beds available. Some laws, known as “status offense” laws apply only to minors, including youth curfews and laws which classify running away from home as an offense. There are also public ordinances that prohibit panhandling, eating, sleeping, or even sitting in certain places and/or at certain times (e.g., sleeping on a public beach or being in a park after dusk), and are applicable to both adults and youth.^v A 2008 study found that 60% of homeless youth had been fined for “quality-of-life offenses”—when they can’t pay the fines associated with these citations, many will be issued a warrant and ultimately arrested.^{vi}

Long-term Impacts of Youth Homelessness and Justice-Involvement

Homeless youth are more likely to experience:

- Mental health and substance abuse issues
- Victimization and justice-involvement
- Sexually transmitted infections and unplanned pregnancies
- Education and employment challenges

Justice involvement, particularly secure detention, has been linked with:

- Later involvement in the criminal justice system
- Physical or mental health problems
- Poor educational outcomes
- Difficulty in the labor market later in life

Youth who are homeless may also commit “survival crimes”—these include acts such as theft or robbery in order to obtain food, trespassing to be in a safer or warmer place, or engaging in physical altercations to protect themselves while on the streets. Young people experiencing homelessness may also be victims of commercial sexual exploitation or labor trafficking, and enter the juvenile justice system through charges related to that victimization. Youth who run away from home and cross state lines may also fall under the jurisdiction of the Interstate Compact on Juveniles, which can lead to them being held in juvenile detention facilities for up to several months.^{vii}

Homelessness among Juvenile Justice-Involved Youth

Although data on homelessness among youth involved with law enforcement and the juvenile justice system is limited, we do know that youth are wary of self-identifying as homeless. Juvenile justice intake processes are not equipped to identify homeless youth generally and are particularly ill-equipped to identify young people who experience episodic homelessness, are couch-surfing, etc.^{viii} Even young people who had housing previous to their involvement with the juvenile justice system may find themselves homeless after brief, or longer, stays in juvenile detention or other residential placements resulting from court involvement for a number of reasons. A young person in foster care may find that their bed/placement was given away the moment they left, as foster placements for older youth are scarce. Status offenses such as running away or ungovernability (failure to obey a parent), may indicate a high level of turmoil at home and a youth who already had a high level of discord with her family may discover they are unwilling to take him/her back. A young person whose family lives in public housing or other



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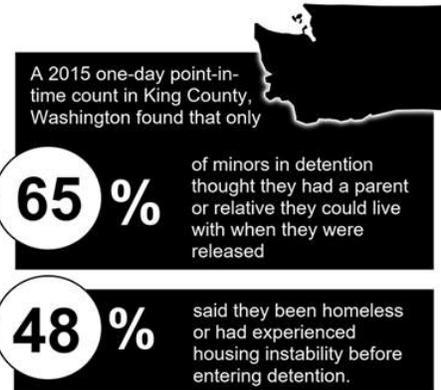
44 % Exited into an unstable housing situation

rental situations may be prohibited from returning to the family home due to the public housing authority or landlord’s threats to evict the entire family.

Youth who are involved in the juvenile justice system have lower academic and vocational achievement, as well as a greater likelihood for experiencing serious health issues (physical and mental)—all of which are linked with homelessness.^{ix} At least two studies of California youth found that 25% of youth exiting juvenile detention, group homes, or foster care stayed on the

street or in a shelter their first night out of the system.^x

Numerous other studies have found high rates of previous justice-system involvement among homeless youth. A study of Minnesota youth found that “46% had been in a correctional facility, and of those, 44% exited into an unstable housing situation.”^{xi} A 2015 one day point-in-time count in , Washington found that only 65% of minors in detention thought they had a parent or relative they could live with when they were released, while 48% said they had been homeless or experienced housing instability before entering detention.^{xii}



Opportunities for Impact

Serving youth, whether in the justice system, school, a community-based agency, or elsewhere, must begin with discovering what lies beneath the behavior or circumstances that brought them to the system’s attention. Appropriate services and supports to address the identified needs must then be provided. A young person who is charged with trespassing may not have had a safe alternative place to be, or a student charged with truancy may be missing school because she is homeless and staying with different friends or relatives each night, often far from her home school. Appropriate responses that meet youths’ needs and keep them from becoming court-involved will require cross-systems collaboration. Forming or participating in task forces or working groups that already exist on related issues is a good way to develop these relationships and brings attention to how these issues intersect.

Other ways that juvenile justice systems, runaway and homeless youth (RHY) programs, health departments, schools, community based providers, philanthropists, and others can help include taking the following steps:

Undertake (or fund) Research: Collect and disseminate better data; this will help advocates and providers understand and address the common causes and circumstances of homelessness and justice system-involvement.

Educate Stakeholders: Provide and require training for first responders, decision-makers, and direct service providers (e.g., law enforcement, judges, RHY program staff), along with undertaking efforts to raise awareness of these issues.

Invest in Alternatives: Develop (and fund) more prevention and diversion opportunities, including housing-related services, education and employment programs, and alternatives to arrest.

Improve Re-Entry Planning: Require better transition planning for youth exiting the juvenile justice system, including housing, education, employment, and family-focused services (such as mediation or counseling to help youth reunify with their families in a safe and healthy way).

Advocate for Change: Try small pilot projects or agency-level policy changes to help young people in the short-term, and institutionalize and spread those changes to have lasting, broader impact.

Ensure Efforts Reach Youth of Color and LGBTQ Youth: Research on recent efforts to decrease incarceration of youth showed that while the overall number of young people being incarcerated declined, these efforts did not reach youth of color as often, leading to the same or greater levels of disproportionate minority contact.^{xiii} Because we know that youth of color and LGBTQ youth are more likely to be involved with the justice system, and to be homeless, we must ensure that efforts to address juvenile justice involvement and homelessness are actually helping these youth. This means making disproportionality part of the conversation when undertaking all of the steps above and engaging experts on these issues as part of crafting solutions.

Partner with Youth: Giving young people who have experienced homelessness and juvenile justice involvement leadership roles within the efforts outlined above will make those efforts more effective.

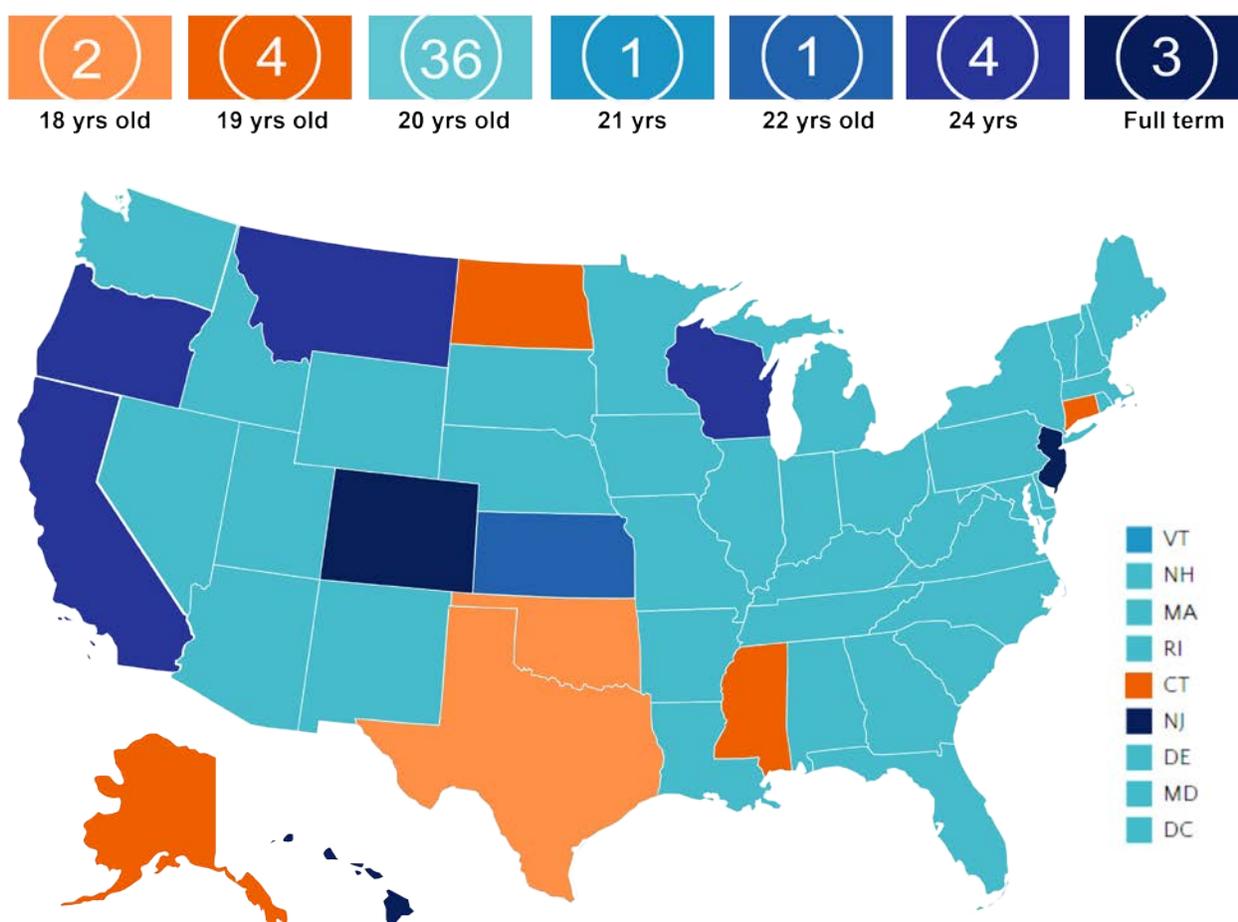
Future resources in this series will delve deeper into how systems and professionals can take these steps; learn more at juvjustice.org/homelessness.



Upper Age of Juvenile Jurisdiction

In most states, young people come under the jurisdiction of the juvenile justice system for any offense they commit before the age of 18, although they may be sent to the adult criminal justice system for certain, more serious offenses, and a few states send children to the adult criminal justice system for any offense at age 16, or even age 15 in two states. In addition, several states are currently considering raising that age to 21.

Once young people are involved in the juvenile justice system, they can remain there until well past 18. More than half of states keep jurisdiction until age 20, and a number of states keep jurisdiction until age 24 or even later.



Source: The National Center for Juvenile Justice

CJJ's Collaborating for Change Project

CJJ launched its Collaborating for Change: Addressing Youth Homelessness and Juvenile Justice project in June 2016 with two main goals: (1) to decrease the likelihood that homeless youth become involved with the juvenile justice system, and (2) to prevent youth homelessness among justice-involved youth. In collaboration with project partners the National Network for Youth and the National League of Cities Institute for Youth, Education and Families, the project will generate policy and practice recommendations, training and technical assistance resources, and avenues for greater collaboration across systems. The project is supported by the Raikes Foundation, the Tow Foundation, and the Melville Charitable Trust, and its work is guided by an Advisory Committee comprised of over a dozen national, state and local experts from a range of youth-serving sectors, including representatives from the National Alliance to End Homelessness, the National LGBTQ Task Force, and the National Juvenile Defender Center.



ⁱ Based on 2014 figures, the most recent year with published data from the [Office of Juvenile Justice and Delinquency Prevention](#).

ⁱⁱ According to estimates from the [National Alliance to End Homelessness](#) (that is in addition to the children who experience homelessness [with their families](#)).

ⁱⁱⁱ Administration on Children, Youth and Families, Family and Youth Services Bureau: Street Outreach Program Data Collection Project Final Report (April 2016).

^{iv} An important case currently pending in federal court law challenges the constitutionality of these types of ordinances, at least when shelters are full.

^v See, e.g., Shahera Hyatt & Jessica Reed, "Adding Insult to Injury: The Criminalization of Homelessness and Its Effects on Youth," California Homeless Youth Project, September 2015, available at <http://cahomelessyouth.library.ca.gov/docs/pdf/CriminalizationOfYouthHomelessness.pdf>.

^{vi} Bernstein, N., & Foster, L. (March 2008). Voices from the street: A survey of homeless youth by their peers. Retrieved October 26, 2011, from the California Research Bureau Web site: <http://www.library.ca.gov/crb/08/08-004.pdf>. A 2014 survey conducted by the National Network for Youth and the National Law Center on Homelessness and Poverty of homeless youth providers similarly found that more than 60% of providers said their youth clients reported being "criminalized/harassed by police or other city workers" for violations of these and other laws.

^{vii} The laws discussed above are the primary ways homeless youth can become involved with the juvenile justice system, but many other types of laws, collected by the National Law Center on Homelessness and Poverty and the National Network for Youth in a 2012 [report "Alone Without A Home,"](#) also impact homeless youth, such as laws governing emancipation of minors, minor's abilities to sign contracts and consent to their own health care, access to federal benefits, education, and shelters and homeless/outreach services.

^{viii} Under The McKinney-Vento Homeless Assistance Act (42 USC 11302) youth are considered homeless if they “lack a fixed, regular, and adequate nighttime residence,” including sharing the housing of other persons due to loss of housing, economic hardship, or similar reasons; living in motels, hotels, trailer parks, or campgrounds due to lack of alternative accommodations; living in emergency or transitional shelters; and living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar places.

^{ix} See, e.g., National Network for Youth, "Youth Homelessness in America" (March 2014), available at <https://www.nn4youth.org/wp-content/uploads/NN4Y-Youth-Homelessness-in-America-2014.pdf>.

^x Nellis, Ashley, and Hooks Wayman, Richard. Back on Track: Supporting Youth Reentry from Out-of-Home Placement to the Community, 2009, Juvenile Justice and Delinquency Prevention Coalition, available at http://www.sentencingproject.org/doc/publications/CC_youthreentryfall09report.pdf.

^{xi} Ibid.

^{xii} Columbia Legal Services. (December 2015) "Falling Through the Gaps: How a Stay in Detention Can Lead to Youth Homelessness." Available at [http://www.columbialegal.org/sites/default/files/Detention to Homelessness Web 0.pdf](http://www.columbialegal.org/sites/default/files/Detention%20to%20Homelessness%20Web%200.pdf).

^{xiii} Eli Hagar. "Our Prisons in Black and White." November 18, 2015 (The Marshall Project), available at <https://www.themarshallproject.org/2015/11/18/our-prisons-in-black-and-white#.b673kcOZI>.

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