



**PLATFORM POSITION REGARDING
REAUTHORIZATION OF THE JUVENILE JUSTICE AND
DELINQUENCY PREVENTION ACT**

**As adopted by the Coalition for Juvenile Justice
Council of State Advisory Groups**

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CJJ COUNCIL OF THE SAGS

The Coalition for Juvenile Justice is committed to taking a firm stance to boldly addressing racism within the youth justice system. CJJ was one of the first organizations to call attention at the federal level to the need to address disparities that exist within the youth justice system. The Juvenile Justice and Delinquency Prevention Act now serves as one of the only federal laws that directly require states to address racial and ethnic inequities within their systems.

CJJ is committed to moving to concrete action that will not just address but end these disparities. We are committed to advancing anti-racist work to end the current inequities in our system. We recognize the nationwide, historical compounding of trauma and oppression that contributes to racial and ethnic disparities in the juvenile justice system. While these recommendations don't address all of that, we are starting this work at the front end of the justice system, with a focus on law enforcement and schools, policies and practices, as well as the day-to-day decisions of professionals in these fields, and how they contribute to the ongoing criminalization of Black, Indigenous, Latino and other young people of color, as well as LGBTQA youth and youth with disabilities.



Witnessed by: _____
Pastor Edward L. Palmer, Sr., CJJ National Chair

Commit to ending the over policing of youth of color.

I. Prioritize alternatives to arrest and system involvement.

Whereas, youth are often better served if involvement in the justice system can be avoided;

Whereas, science and the U.S. Supreme Court recognize that young people are not merely miniature adults, but are still developing and thus more likely to engage in impulsive and risk seeking behaviors as a natural part of adolescent development;

Whereas most youth age out of delinquent behavior without any formal justice-system intervention;

Whereas, unnecessarily exposing young people to the juvenile justice system can actually encourage future criminal activity rather than deter it;

Whereas research shows that white youth and youth of color engage in behaviors at similar rates, though youth of color are more likely to be arrested and detained for those behaviors; and

Whereas, for many youth entering the justice system, the consequences of a single lapse in judgment can haunt them for a lifetime;

We recommend providing financial incentives to states to incentivize diversion over arrest and ensure clear diversion policies are put in place to limit the use of arrest and system involvement whenever possible; reinvest savings from decreased incarceration and decreased over-enforcement measures into impacted communities, and ensure that diversion programming is culturally and linguistically competent, is placed in communities where data shows it is needed, and is in line with the community's needs and strengths; provide federal funds to directly resource culturally and linguistically competent mental health supports and early interventions for high needs youth with access to services not contingent upon involvement with the justice system.

II. Instill a commitment among law enforcement to racial equity.

Whereas, interactions with law enforcement are often the first contact that a young person has with the youth justice system;

Whereas, local budgets and policies create a society in which young people - particularly youth of color - come into contact with law enforcement frequently throughout the day, both at school, while in their neighborhoods, and while using public transportation and frequenting public spaces;

Whereas, research has shown that law enforcement, much like other decision makers, exhibit racial and ethnic bias in their decision making processes about when to approach and/or detain a young person;

Whereas research shows that white youth and youth of color engage in behaviors at similar rates, though youth of color are more likely to be arrested and detained for those behaviors; and

Whereas, these biased decision making processes can have lasting impacts on young people, including the trauma of arrest and detention, and the lasting implications of a criminal record;

We recommend building systems of support within departments so diverse perspectives are welcomed, tolerated, and have agency. We further recommend the creation of national standards for officer qualification, including a demonstrated history of working successfully with young people and training on anti-racist practices and implicit bias. We recommend national standards around reviews of full and complete history of employment, complaints, etc. We recommend hiring police with training and experience in adolescent development. We recommend working with law enforcement accrediting organizations, prosecutors, public defenders, and Attorney General's offices to create processes and procedures to screen out and hold accountable proven bad actors. We further recommend that regulations be put in place regarding contracts between law enforcement, unions, and their departments, holding that a person shall be ineligible for appointment as a sworn member of the department if he or she was previously terminated or forced to resign for disciplinary reasons from any commissioned or recruit/probationary position with a law enforcement agency, or previously resigned from a law enforcement agency to avoid potential or proposed or pending adverse disciplinary action or termination.

¹ <https://www.njjn.org/our-work/creating-meaningful-police-and-youth-of-color-relationships---njn-policy-platform---oct--2017>

III. Ensure that law enforcement understand the long term impacts of interactions they have with young people, including potential trauma and the need to interact in a developmentally appropriate and culturally and linguistically competent manner.

Whereas encounters with law enforcement can be traumatic for young people;

Whereas these encounters can be especially traumatic for Black and Brown youth who carry with them the burdens of historical and ongoing traumatic images of the deaths of young people;

Whereas such encounters can result in increased likelihood of subsequent contact with law enforcement, future arrests, and even death; and

Whereas these interactions shape the child and community's understanding of the role of police, principles of fairness and equity and shape how young people and communities perceive and interact with police in the future;

We recommend providing law enforcement with youth- and family-driven, culturally and linguistically responsive training on long term impacts that interactions that their interactions with young people have on them; ensuring that this training is specific to implicit bias among law enforcement and includes strategies for effective interactions with young people, particularly youth of color, young people with special needs, and youth who may be in a mental health crisis. We recommend national training standards for improving interactions with youth that focus on tools to identify and differentiate behaviors that are mistaken as delinquent, but are actually indications of mental health crisis or disability. These standards should also focus on behaviors that are criminalized for Black youth, as well as the adultification of Black youth.

² This includes thinking through the mind science of the three strands of implicit bias, racial anxiety, and stereotype threat