

Improving Responses to Youth Charged with Status Offenses



Photo by Richard Ross

Coalition for Juvenile Justice | **SOS Project**

Safety, Opportunity & Success (SOS): Standards of Care for Non-Delinquent Youth

Presentation Overview

- Overview of Status Offenses
- Federal Legislation
- The CJJ National Standards for the Care of Youth Charged with Status Offenses

What are Status Offenses?

- Status offenses are acts by juveniles that violate the law, but **would not be an offense if committed by an adult**.
- Common examples include **truancy, running away**, curfew and liquor law violations and **being “unruly,” “incorrigible,”** or “ungovernable” (e.g., beyond the control of the youth’s parents).
- An estimated **137,000 status offense cases** were petitioned in juvenile courts in 2010.
- Of these, **10,400 involved detention** and 6,100 resulted in an out-of-home placement.

What are the Dangers of Detention?

- Young people who are securely detained are more likely to:
 - become more deeply involved in the juvenile or criminal justice system
 - enter the criminal justice system
 - suffer from physical or mental health problems
 - struggle in or not complete school
 - have difficulty in the labor market later in life

The Juvenile Justice and Delinquency Prevention Act

- The Juvenile Justice Delinquency and Prevention Act was passed in 1974
- The JJDP Act has four core requirements:
 - **Deinstitutionalization of Status Offenses (DSO)** (ensures that youth who commit status offenses are not held in secure juvenile facilities for extended periods of time or in secure adult facilities for any length of time)
 - **Site and sound separation** (prohibits youth from being within sight and sound contact with adults)
 - **Jail removal** (youth may not be detained in adult jails and lock-ups)
 - **Disproportionate Minority Contact** (states are required to assess and address the disproportionate contact of youth of color at key points in the juvenile justice system)

Valid Court Order Exception

- The valid court order (VCO) exception to the DSO core requirement was amended into the JJDPA in 1980
- While the DSO protection remained intact, judges and others were given the option of placing youth who commit status offenses in locked detention if they violated a “valid court order,” or a direct order from the court, such as “stop running away from home” or “attend school regularly”

About the SOS Project

- The Coalition for Juvenile Justice’s “Safety, Opportunity & Success (SOS) Project” is a multi-year partnership that engages State Advisory Group members, judicial leaders, practitioners, service providers, policymakers and advocates to guide states in implementing policy and practices that:
 - Divert youth at risk or charged with status offenses from the courts to connect them to family- and community-based systems of care that more effectively meet their needs;
 - Eliminate the use of locked confinement for youth who commit status offenses.

About the *National Standards*

- The Coalition for Juvenile Justice released the *National Standards for the Care of Youth Charged with Status Offenses* in December 2013
- Developed by CJJ in partnership with National Council of Juvenile and Family Court Judges and Vera Institute of Justice, with support from Public Welfare Foundation
- Advisory group of juvenile justice professionals, advocates, researchers and judicial leaders
- Endorsed by state and national groups
- Policies and practices to achieve positive outcomes for youth who are or may become justice system-involved for status offenses

National Standards Endorsements



GLSEN



The National
Crittenton
Foundation

Youth **Advocate**
PROGRAMS, INC.

NATIONAL ASSOCIATION OF
YOUTH
COURTS
www.youthcourt.net

PTA

BEVE IN THE POWER OF POTENTIAL

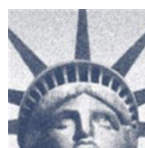
MENTOR
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THE
EQUITY
PROJECT



everychild.one voice.



ACLU
AMERICAN CIVIL LIBERTIES UNION



NCLR

Division of Juvenile Services
Juvenile Justice
Advisory Group
Maine Department of Corrections



NJDC



Juvenile Justice Advisory
Group
Ensures delinquency
prevention programs



THE
SENTENCING
PROJECT

Principles for Responding to Status Offenses

- Apply a child and family-centric approach to status offense cases by prioritizing child and family **safety, well-being and permanency**
- Understand and apply knowledge about **adolescent brain development, positive youth development, gender-based differences**, and impact of past **trauma** and exposure to violence
- Ensure **coordination among the different agencies** and systems working with each child and family
- Ensure fair and equal treatment of youth with **learning, mental health, sensory, or communication disabilities** and prevent youth from becoming or remaining involved with the system due to disabilities

Principles for Responding to Status Offenses

- Engage and empower **families** through Family Group Decision Making and other strategies
- Ensure **LGBTQ youth** receive fair, equal, and respectful treatment and access to services
- Combat **disproportionate minority contact** by providing culturally and linguistically competent services and treatment and other strategies
- Use **mediation** and other **alternative dispute resolution** methods

Avoiding or Limiting Court Involvement

- Identify and respond to underlying causes of court involvement (such as unmet needs of the family) early
- Limit court involvement through diversion programs when possible
- Ensure professional who first respond to alleged status offenses are educated about the family and community dynamics that often underlie or contribute to these behaviors
- Ensure youth are present and represented by counsel at any hearing on their status offense cases
- Never securely confine youth for status offenses and avoid out of home placements whenever possible

Additional Resources

Coalition for Juvenile Justice's SOS Project: <http://www.juvjustice.org/sos>

The Administration for Children and Families: <http://www.hhs.gov/homeless/resources/>

The American Bar Association: http://www.americanbar.org/groups/child_law/what_we_do/projects/status_offenders.html

The National Council on Juvenile and Family Court Judges: <http://www.ncjfcj.org/our-work/detention-alternatives>

Office of Juvenile Justice and Delinquency Prevention (OJJDP): <http://www.juvenilejustice-tta.org/resources/dso/about-dso>

Vera Institute for Justice's Center on Youth Justice: <http://www.vera.org/centers/youth-justice>

Status Offense Reform Center (SORC): <http://www.statusoffensereform.org>

For More Information

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