



POSITIVE YOUTH JUSTICE INITIATIVE BRIEF

ORGANIZING FOR A HEALTHY JUSTICE SYSTEM

TRANSFORMING JUVENILE CORRECTIONS

The Positive Youth Justice Initiative (PYJI) is helping communities across California transform juvenile justice practice and policy into a more just, effective system that is aligned with the developmental needs of young people. In 11 California counties, PYJI supports community-based organizations that are working in partnership with grassroots organizations and youth and family members most impacted by the juvenile justice system. Each coalition has tailored its community organizing and advocacy activities to the policy context in its county. Together, they are accelerating a statewide movement toward a healthy juvenile justice system – focused on youth well-being, improved system practices and reduced justice system involvement.

HARMS OF YOUTH JUSTICE INVOLVEMENT

Although the juvenile justice system seeks to rehabilitate youth and prevent future justice involvement, the data tell a different story.

Research shows that being incarcerated as a youth is associated with a lower likelihood of high school completion and higher chance of incarceration as an adult.¹ These troubling outcomes are heightened by racial disparities: Black youth who are incarcerated during childhood fare far worse in adulthood than their white counterparts.² In many communities, youth of color become justice-involved for minor offenses and are trapped in a cycle of contact with law enforcement and removal from their communities during the key transitional years between adolescence and adulthood.

The most common outcome of juvenile court proceedings is placement on probation.³ Research finds that traditional youth probation, which is typically grounded in surveillance, court-imposed conditions, and sanctions for not complying with these conditions, is not a useful way to reduce recidivism, particularly for youth at low risk for re-arrest. Moreover, this approach does not align with adolescent brain development research, which indicates that the brain continues maturing until age 25.⁴

PROMISING PRACTICES

In recent years, some jurisdictions have implemented practices to increase the use of community-based alternatives to justice system involvement. At the same time, experts recommend avoiding the use of informal probation as a diversion option and substantially shrinking the probation population to specifically address the needs of high-risk youth.⁵ Through this work, promising practices are emerging.

Examples include: using pre-arrest diversion in Florida with more than half of eligible youth statewide being diverted rather than arrested;⁶ diverting youth with misdemeanors to community-based services in Lucas County, Ohio, with about 10% of such cases being subsequently placed on probation due to new charges;⁷ and providing a pre-charge restorative justice diversion program in Alameda County, California, which has had a beneficial impact on reducing recidivism for most youth who complete the program.⁸

PYJI partners also are engaging in innovative, often cutting-edge work to reform the youth justice system. With efforts focused in areas such as ending “voluntary” probation practices, eliminating youth incarceration, and creating options for diversion and alternatives to detention, partners are making considerable progress and achieving substantial victories in their efforts to organize for a healthy justice system.

ENDING “VOLUNTARY” PROBATION

Los Angeles County Eliminates the Practice of Voluntary Probation

Policy and organizing work led by PYJI partner Youth Justice Coalition in Los Angeles, in partnership with Children’s Defense Fund-California, Urban Peace Institute, and Anti-Recidivism Coalition, sought to transform the county’s probation programs, budget, and conditions of confinement. This included a focus on the Los Angeles County Probation Department’s “voluntary” probation program. Under this practice, thousands of young people, most of whom are youth of color, reported to probation officers and/or the district attorney despite not being court-involved. Working together as the Youth Uprising Coalition, the Youth Justice Coalition and its partners conducted advocacy activities that contributed to the Los Angeles County Probation Department ending its use of the Welfare and Institutions Code (WIC 236) for “voluntary probation” in 2018.

Class Action Lawsuit Successfully Pressures Riverside County to End “Informal Probation”

In Riverside County, PYJI partner Sigma Beta Xi, Inc. wanted to end the use of “informal” probation in schools. Sigma Beta Xi worked with the ACLU to file a class action lawsuit against the Riverside County Probation Department for its Youth Accountability Team (YAT) in 2018. The lawsuit alleges that YAT ensnares youth who are not court-involved in the juvenile justice system for school-related reasons such as tardiness and

academic performance, leading to violations of due process, privacy, and free speech. Black and Latino youth are disproportionately represented among youth placed on “informal” probation through YAT.⁹

School Districts Join the Fight Against Riverside County’s Use of “Informal Probation”

Sigma Beta Xi engaged in advocacy efforts with local school districts and asked districts that work with YAT to remove it, prompting one district to end its relationship with the program and sparking interest from other districts. Sigma Beta Xi reports that the lawsuit has not only strengthened its community power to advocate, it also has the potential to dismantle a substantial piece of the local school-to-prison pipeline.

This lawsuit led to a key victory. Under the terms of a recent settlement agreement, youth will no longer be enrolled in YAT for non-criminal behavior. In addition, youth referred to Riverside County diversion programs will receive due process protections including the appointment of a defense lawyer.¹⁰

NEW MODELS FOR DIVERTING YOUTH

New Model in Los Angeles County Will Divert Thousands of Youth From Justice System Involvement

Through advocacy, organizing, and community mobilization, Youth Uprising Coalition members contributed to the creation of a countywide pre-booking diversion model in Los Angeles, which was approved by the county Board of Supervisors in late 2017. This model established the Division of Youth Diversion and Development as part of the county’s Department of Health Services. An estimated 12,000 youth are expected to be diverted annually from arrest and booking. Youth from the Youth Justice Coalition were the only system-impacted youth with consistent involvement in the diversion model’s planning. The Youth Justice Coalition now is engaged in implementation of the model, including negotiating with the county and law enforcement to create policies and procedures for diversion, data collection and data sharing.

New Restorative Justice Program in Contra Costa County Will Divert Youth With Felonies and Serious Misdemeanors

RYSE Youth Center is partnering with the Contra Costa County District Attorney’s Office and Impact Justice to implement a pre-charge restorative justice diversion program for youth.

For each case, the program will bring together the young person arrested for a felony or serious misdemeanor with the person(s) harmed. This meeting will lead to development of a plan to make things right; once the youth completes the plan, no charges will be filed. RYSE will provide trauma-informed, culturally relevant, and developmentally appropriate wraparound services for participants.¹¹

REFORMING YOUTH DETENTION

San Diego County Overhauls Juvenile Facility and Increases Resources for Alternatives to Detention

Advocates in San Diego wanted to reduce the county's reliance on youth detention and increase resources for prevention, early intervention, mental health, and rehabilitative programming for youth. To make progress toward these goals, the San Diego Organizing Project conducted various advocacy activities. They met with probation department leadership and other county decision makers to gain insight into county budgeting, service provision, and contracting processes. They built a robust relationship with the county probation chief and advocated for an overhaul of juvenile hall that would create a youth-development focused campus for healing and education. They also advocated for an increase in funds to support alternatives to detention programming. San Diego Organizing Project

reports that the transformation of juvenile hall is in progress, with a large-scale redesign of the facility included in the county budget. Moreover, the probation department has issued requests for proposals that will expand alternatives to detention and community-based mentoring.

ORGANIZING TO END YOUTH INCARCERATION

Two organizations in the San Francisco Bay Area—Communities United for Restorative Justice (CURYJ) in Oakland and the Young Women's Freedom Center in San Francisco—have a vision to end the incarceration of young people.

Youth Fellows Educate Policymakers in Alameda County About Creating Alternatives to Incarceration

In Alameda County, CURYJ, in partnership with Urban Peace Movement, provided research training and support to the Dream Beyond Bars Fellows, a group of formerly incarcerated youth, to design and conduct a participatory research project. This research project identified the negative impacts of the justice system, called for an end to youth incarceration, and stressed the need for community-based alternatives.¹² The fellows' efforts then led to advocacy as the youth shared the information they had collected and advocated for changes that would lead to better conditions and outcomes for their peers.

San Francisco County Board of Supervisors Votes to Close Juvenile Hall

Young Women's Freedom Center has engaged in a long-term organizing campaign to permanently close the county's juvenile hall. Their work includes training youth who are juvenile justice system-involved in community organizing; testifying at hearings about juvenile probation; and conducting a participatory action research project on the criminalization of young women in San Francisco.¹³ Young Women's Freedom Center reports that with PYJI's support, the conversation about transforming the county's juvenile justice system "has emerged from the sidelines to front and center." In early 2019, the mayor of San Francisco convened a Juvenile Justice Reform Blue Ribbon Panel, with Young Women's Freedom Center leadership serving on the panel.¹⁴ This work experienced a huge victory in June 2019 when the San Francisco Board of Supervisors voted to close the county's juvenile hall by the end of 2021.¹⁵



CONCLUSION

With support from PYJI, community-based organizations and their local coalitions are leading a multitude of efforts to reform the juvenile justice system. This organizing and advocacy work responds to local conditions and community-voiced priorities and involves a range of tactics such as conducting research and creating reports, holding meetings and doing outreach, relationship building, and pursuing legal strategies. The work to transform juvenile corrections is innovative, aligns with best practices and promising approaches, and is often on the leading edge of youth justice reform efforts. Community-based leaders are breaking new ground through their work to organize for a healthy youth justice system, and more victories are imminent.

Positive Youth Justice Initiative County Lead Organizations

- Communities United for Restorative Youth Justice (CURYJ) (Alameda County)
- Fathers & Families of San Joaquin
- Fresno Barrios Unidos
- Resilience Orange County
- RYSE Youth Center (Contra Costa County)
- Sacramento Area Congregations Together
- San Diego Organizing Project
- Sigma Beta Xi, Inc. (Riverside County)
- Silicon Valley De-Bug (Santa Clara County)
- Young Women's Freedom Center (San Francisco County)
- Youth Justice Coalition (Los Angeles County)

EVALUATING PYJI

The National Council on Crime and Delinquency (NCCD) is evaluating the current phase of PYJI and has prepared four briefs to highlight findings and learnings on some issues that PYJI partners are addressing. The evaluation draws on multiple sources of quantitative and qualitative information, using existing data from funded partners'

semi-annual progress reports, reviewing other sources, and collecting primary data at scheduled PYJI activities. Through the evaluation, NCCD has produced findings that The Center at Sierra Health Foundation and PYJI's philanthropic partners can use to support communities in strengthening local infrastructure for organizing and advocacy toward a healthier justice system.

END NOTES

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