NATIONAL TRENDS IN JUVENILE JUSTICE REFORM

YOUNG PEOPLE IN PERIL
THE IMPACT OF TODAY’S HEALTH, ECONOMIC AND SOCIAL CRISIS ON YOUTH JUSTICE REFORM
JOHN JAY COLLEGE OF CRIMINAL JUSTICE
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THE NATIONAL CONFERENCE OF STATE LEGISLATURES (NCSL)

- Bipartisan - membership all 50 state legislatures
- Denver Policy Headquarters and also have DC Office

Mission Statement:
- Improve the quality and effectiveness of state legislatures
- Promote policy innovation and communication among state legislatures
- Ensure state legislatures a strong, cohesive voice in the federal system
JUVENILE JUSTICE REFORM

- Bipartisan, cross-branch issue

- Distinguishing Juvenile from Adults Offenders

- Priorities: Align fiscal responsibility, community safety and positive outcomes for youth
RECENT SNAPSHOTs

Delinquency caseloads in 2017 for all offense categories were at or near their lowest level since at least 2005

Across offenses, cases were less likely to result in a delinquency adjudication in 2017 than in 2005

Source: Office of Juvenile Justice and Delinquency Prevention (OJJDP)
TREND #1: EXPANDING JUVENILE JUSTICE SYSTEM JURISDICTION

Raise the Age Laws
- MI, AZ, MO, VT

Transfer Laws
- NC, OR, CA, WA, MI

Placement Laws
- MI, DE
TREND #2: DIVERSION AND COMMUNITY & FAMILY ENGAGEMENT

Comprehensive Diversion Programs enacted in recent years
- KY, KS, UT

Recent State Diversion Efforts
- AR, TN, CO, LA, WA, MA, NE, DE, FL, UT

Programming
- Adolescent Community Reinforcement Approach
- Functional Family Therapy (FFT)
- Multisystemic Therapy (MST)
- Multisystemic Therapy – Substance Abuse
- Adolescent Diversion Project (Michigan State University)
- Aggression Replacement Training® (ART®)

Engagement on the Inside
- IL
TREND #3: DUE PROCESS AND PROCEDURAL CHANGES

- **Interrogations and Miranda Warnings—**
  - Protections during interrogations
  - Simplified Miranda warnings

- **Legal Counsel —**
  - Laws requiring quality counsel
  - Prohibiting waiving right counsel

- **Indigent Defense —**
  - Increase juvenile defender resources
  - Changing process for determining indigence
TREND #4: DETENTION REFORM AND MOVE TO CLOSE TO HOME

The end of single state facilities and the creation of statewide networks of small, community-based facilities

- Massachusetts (1970s)
- Missouri (1980s & 90s)
- Ohio (1993)

Recent Close to Home:

- New York State Social Services Law § 404 (2012; currently set to expire in 2023)
- California SB 284 (2019)

“Virtually every state has reduced its use of confinement since the turn of the century, but Close to Home aspired to change the very nature of what placement looked like, all while investing in alternatives that would drive the population down further…”

“By aiming higher, Close to Home has been at the forefront of what we should all hope is a new wave of youth justice transformation.”

-----Nate Balis, director of the Casey Foundation’s Juvenile Justice Strategy Group.
TREND #5: IMPROVING CONDITIONS OF CONFINEMENT

Education
- TN, MS, IL, PR

Solitary Confinement
- See Map

Juvenile Separation in Adult Facilities
- 25 states
TREND #6: IMPROVING REENTRY/AFTERCARE

- Probation Reforms
  - Limiting length of probation
  - Graduated Responses

- Reducing or Prohibiting Fines and Fees for Juveniles
  - Washington’s “Year Act” 2015
  - 2020: New Jersey and Maryland

- Clearing Juvenile Records
  - 2019: ME, TX, WY, TN, CO, NE
  - 2020: NC, WA
# TREND #7: RACIAL AND ETHNIC DISPARITIES
LOOKING AHEAD

- Raise the Age Legislation
- Limiting or Prohibiting Solitary Confinement
- Conditions of Confinement
- Probation Reform and Limiting Fines and Fees
- Addressing Racial and Ethnic Disparities
2020 ELECTIONS

Preelection Partisan Control

Postelection Partisan Legislative Control

Map is being updated as results are confirmed.

Nebraska has a nonpartisan legislature. Election results for other states in gray have not been called yet.
2020 ELECTIONS

Leadership Changes

Flipped
The database tracks all pending and enacted bills on pertinent youth issues and allows you to search by topic, state, key word or year.

Juvenile Justice Bill Tracking Database:
Contact Anne Teigen at Anne.Teigen@ncsl.org
THANK YOU!

QUESTIONS?

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