



Juvenile Justice Trends

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How NCSL Strengthens Legislatures



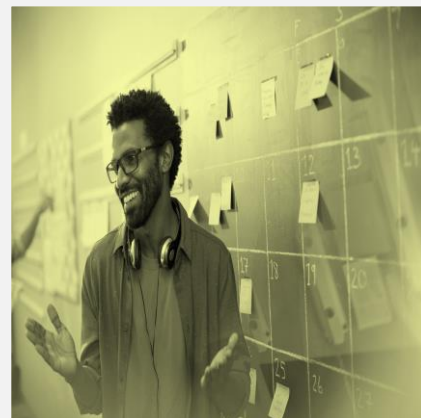
Policy Research

NCSL provides trusted, nonpartisan policy research and analysis



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NCSL links legislators and staff with each other and with experts



Training

NCSL delivers training tailored specifically for legislators and staff



State Voice in D.C.

NCSL represents and advocates on behalf of states on Capitol Hill



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Trends in the 1990s

Rise in juvenile violence in mid- 1980s to mid-1990s across the country.

National loss of faith in the rehabilitative model of the juvenile justice system because of belief it was too lenient.

There was a shift away from juvenile justice policy toward "criminalization" of delinquency.

As a result, new policies emerged in **every state** to hold more young offenders accountable through adult sentencing options and reduced confidentiality protections.



Sea Change in Early 2000s

- Juvenile justice reform has become a largely bipartisan issue as lawmakers work together to develop new policies to align sound fiscal responsibility, community safety and better outcomes for youth.
- New legislative reforms reflect an interest in developmentally appropriate approaches to more evidence-based methods and cost-effective alternatives to incarceration.
- Abundance of research exists that is available to lawmakers and the field on adolescent development—that includes the latest neuro, social and behavioral science that distinguishes juveniles from adult offenders.



Reaction to Increase in Crime: 2022 Bills

courier journal

PART OF THE USA TODAY NETWORK

Bill that critics say rolls back juvenile justice reform advances with little opposition



Deborah Yetter

Louisville Courier Journal

Published 3:01 p.m. ET March 9, 2022



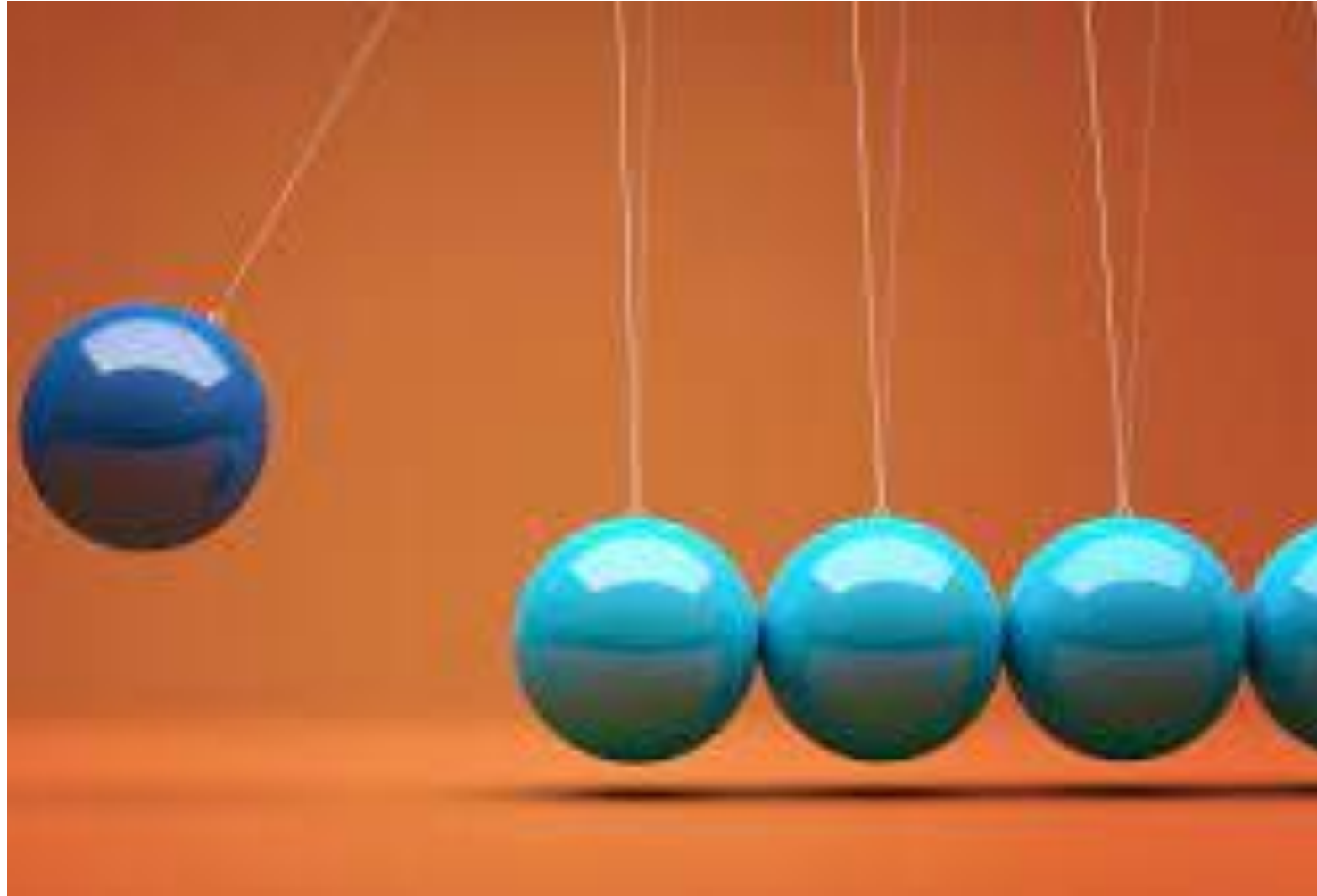
**ACU OPPOSES SOUTH DAKOTA'S ATTEMPT TO ROLL BACK
SUCCESSFUL JUVENILE JUSTICE REFORM POLICIES**

The Imprint YOUTH & FAMILY NEWS

New York City Mayor's Plan to Address Gun Violence Would Roll Back Juvenile Justice Reforms, Critics Say

BY [ADILIA WATSON](#), [MADISON HUNT](#) AND [MICHAEL FITZGERALD](#)

Is Pendulum Swinging Back?



Probably Not

Juvenile Justice Legislative Trends

1. Sentencing & Juvenile Life without Parole
2. Expanding Juvenile Court Jurisdiction
3. Minimizing System Contacts
4. Due Process Rights
5. Reforming Detention and Incarceration
6. Shifting Resources to Community-Based Alternatives
7. Mental Health
8. Special Populations
9. Reentry



- *Roper v. Simmons* (2005)
- *Graham v. Florida* (2010)
- *Miller v. Alabama* (2012)
- *Montgomery v. Louisiana* (2016)
- *Jones v. Mississippi* (2020)



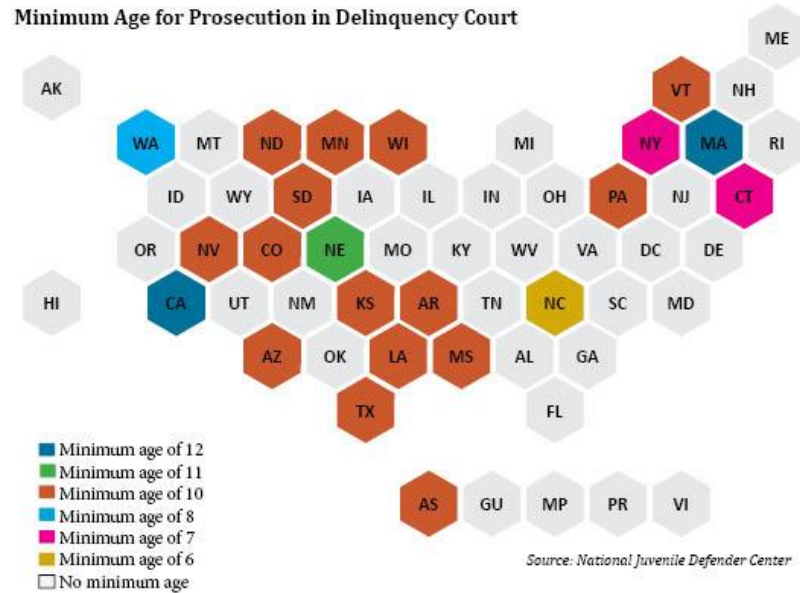
1. Sentencing and Juvenile Life Without Parole

2. Expanding Jurisdiction of the Juvenile Court

Distinguishing young person from adults:

- Raise the Age
- Minimum Age of Jurisdiction
- Transfer/Waiver
- Judicial Discretion

Minimum Age for Prosecution in Delinquency Court



3. Minimizing System Contacts

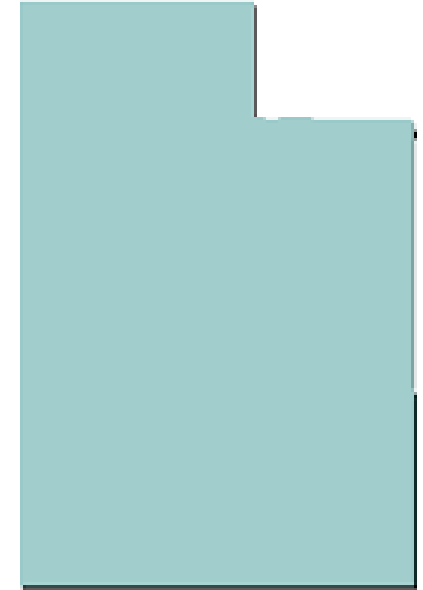


Probation



Status Offenders

Idaho



Diversion

Utah



- Arrests & Interrogations
- Right to Counsel (CA, DE, IL, MT, OR)



4. Due Process Rights

- Youth in Adult Facilities
- Conditions of Confinement
- Shackling & Solitary Confinement
- Limiting Out-of-Home Placements



5. Detention and Corrections Reform

6. Shifting Resources to Community-Based Alternatives

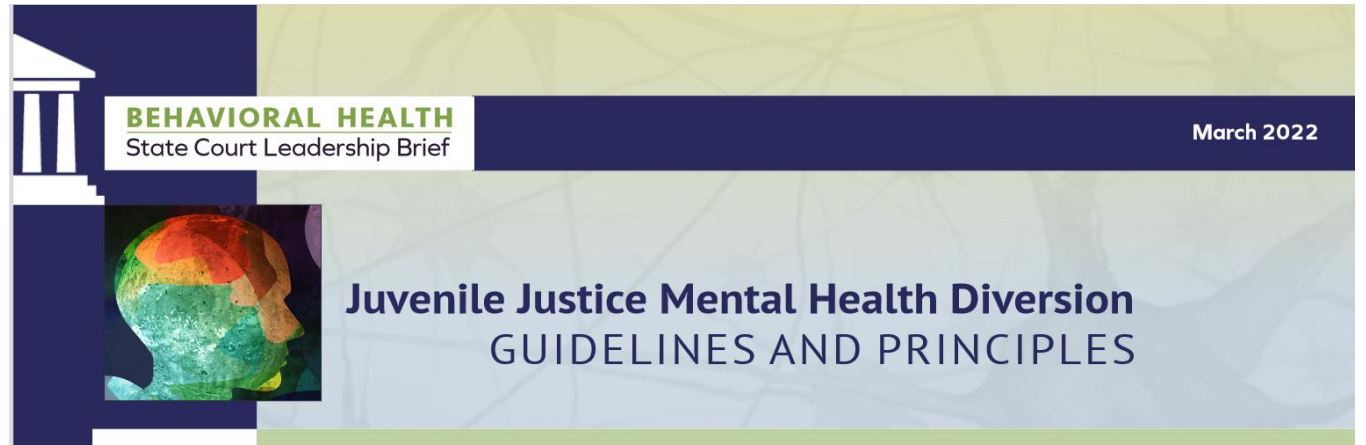
Increased Community-Based Spending



Closing Youth Facilities



- A meta-analysis by Vincent and colleagues (2008) suggested that at some juvenile justice contact points, as many as **70 percent** of youths have a **diagnosable mental health problem**.
- The Pathways to Desistance study (which followed more than 1,300 youths who committed serious offenses for 7 years after their court involvement) found that the **most common mental health problem was substance use disorder (76 percent)**.



7. Mental & Behavioral Health

A photograph of five young people sitting in a row, looking towards the camera with serious expressions. From left to right: a young man with brown hair wearing a pink shirt, a young woman with blonde hair wearing a purple patterned top, a young woman with brown curly hair wearing a red hoodie, a young man with short dark hair wearing a grey hoodie, and a young woman with dark curly hair wearing a dark brown top. The background is plain white.

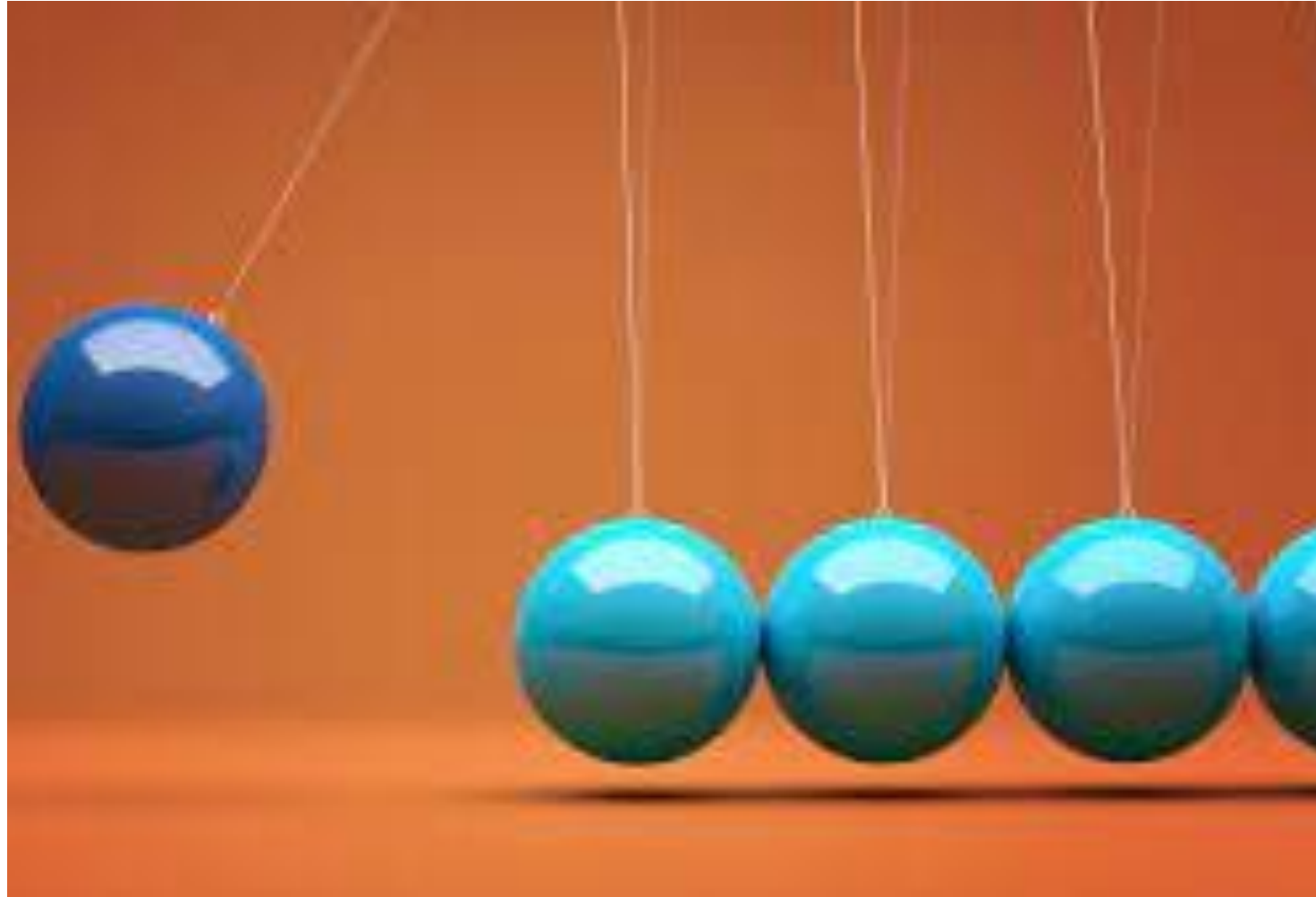
8. Gender and Racial and Ethnic Disparities

- Record Clearing
 - Automatic
- Reduction of Fines & Fees
- Comprehensive Reentry Services



9. Reentry

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Reaction to Increase in Crime: 2022 Bills

Kentucky HB 318

- Rolls back some reforms from SB 200.
- Citing “increased homicides, gun violence and car-jackings in Louisville — many involving youths — as a reason the juvenile law needed to be tightened.”
- Did not pass.

Connecticut HB 5417

- “The bill, passed months before the election, is a response to suburban car thefts in 2020.”
CT Mirror
- Amendment to transfer more cases to adult court failed to pass.
- “A triumph of bipartisanship” in fighting CT juvenile crime.
- Enacted

South Dakota SB 198

- “Senate Bill 198 initially intended to create a study group to find alternate placements for repeat juvenile offenders by next legislative session and enact major repeals of South Dakota's juvenile correction laws by July 1, 2023.”
- A few amendments put forth
- Did not pass.

Indiana
House Bill 1359

Louisiana
House Bill 746

Utah
House Bill 138

Questions?

Comments?

Reach Out!



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