

CAMPAIGN FOR
YOUTH  JUSTICE

BECAUSE THE CONSEQUENCES AREN'T MINOR

Interview Guide

2007

Prepared by the Campaign for Youth Justice

Campaign for Youth Justice
1012 14th Street, NW, Suite 610
Washington, DC, 20005
Phone: 202.558.3580
Web: www.campaignforyouthjustice.org

Campaign for Youth Justice

Dear Youth Advocate,

On behalf of the *Campaign for Youth Justice*, we are providing you with the enclosed “Advocate’s Guide.”

This guide is intended to provide you with the background information and the tools to reach out to youth who are and/or have been directly impacted by state policies and practices that try and sentence youth in the adult criminal justice system. The guide includes information on:

- Identifying & contacting incarcerated and formerly incarcerated youth
- Planning and conducting interviews with youth
- Sample outreach materials for youth and parents
- Sample consent forms for youth, parents, and interviewers
- Case stories of current and formerly incarcerated youth
- Resources for additional information

In preparing this guide, we consulted with a number of individuals and organizations and would like to thank them for their contributions: Mark Soler and Neelum Arya of the *Center for Children’s Law & Policy*; Jason Ziedenberg and Jasmine Tyler of the *Justice Policy Institute*; Jen Tilton of Wesleyan University; Abby Anderson of the *Connecticut Juvenile Justice Alliance*; Vinny Schiraldi and Marc Schindler of the *DC Department of Youth Rehabilitative Services*; Bob Schwartz of the *Juvenile Law Center*; Sarah Bryer of the *National Juvenile Justice Network*; Hazel Moran and Julio Abreu of the *National Mental Health Association*; Donna Bishop of Northeastern University; and, Elizabeth Kehoe of the *National Juvenile Defender Center*.

We hope you find this guide useful. For additional information, materials or contacts, please phone us at 202.558.3580. Together, we can work to end the practice of trying, sentencing, and incarcerating youth under the age of 18 in the adult criminal justice system.

Sincerely,



Liz Ryan
President & CEO
Campaign for Youth Justice

Table of Contents

1. Overview	4
2. Purpose	6
3. Interview process	7
4. Sample materials	
Sample Interview Script	16
Sample Interview Checklist	18
Sample Interview Questions	19
Sample Parent & Youth Interview Consent Form	23
Sample Interviewer Consent Form	25
Sample Youth Outreach Flyer	27
Sample Parent Outreach Flyer	28
5. Case stories of Current and Formerly Incarcerated Youth	29
6. Appendix	30
Youth Law Center CHAPTERS	31
Youth Law Center Sample Youth Referral Sheet	32
Youth Law Center Sample Family Referral Sheet	33
NMHA Confidentiality Statement	34
NMHA Parent & Youth Consent Forms	37
Alternatives to Detention Project Consent for Disclosure of Confidential Information	38
DC PDS Consent Form	40
8. Campaign for Youth Justice Interview Project Description	41

Overview

In the 1990's, most states passed laws making it easier to try and sentence youth in the adult criminal justice system. In the United States, as many as 200,000 youth under the age of 18 are tried and sentenced in adult criminal courts every year. Despite new national research demonstrating that these policies have failed, statutes making it easier to prosecute youth in the adult criminal justice system remain in place.

What does the research say?

In analyzing the consequences of trying and sentencing youth in the adult criminal justice system, the research focuses on three questions: Is it safe? Is it fair? Does it work?

Is it safe? The impact of state policies and laws that have made it easier to try and sentence youth in the adult criminal court are very serious and, in many cases, can be life-threatening. Children tried in the adult criminal court are at a greater risk of assault and death in adult jails and prisons. In addition to physical harm, children tried as adults:

- Face the same penalties as adults, including life without parole;
- Receive little, if any, education, mental health treatment, or rehabilitation services;
- Obtain an adult criminal record which limits their future education and employment opportunities; and,
- In too many instances, lose basic civil liberties-the right to vote and eligibility for student aid, as only two examples.

Is it fair? Children of color are most negatively affected by the policies and laws that try youth as adults. The research findings show an over-representation and disparate treatment of children of color, raising serious questions about the fairness and appropriateness of prosecuting children in the adult criminal justice system.

Does it work? The most recent research demonstrates unequivocally that trying and sentencing children in adult court does not decrease recidivism; in fact, it increases crime.

The research clearly demonstrates that the answer to the three questions is “no.” Trying youth as adults is not safe, is not fair, and does not work. To address the issues surrounding the “adultification” of youth, the Campaign for Youth Justice (CFYJ) is dedicated to ending the practice of trying, sentencing, and incarcerating youth under the age of 18 in the adult criminal justice system.

To realize our mission, the goals of CFYJ are:

- To raise awareness about the negative impact of prosecuting youth in the adult criminal justice system and of incarcerating youth in adult jails and prisons;
- To reduce the number of youth who are tried, sentenced, and incarcerated in the adult system, rather than adjudicated in the juvenile justice system;
- To decrease the harmful impact of trying youth in adult court; and
- To promote research-based, developmentally-appropriate rehabilitative programs and services for youth as an alternative to the adult system.

One of the campaign's primary activities is to research and provide information to policymakers about the negative impact on youth being tried and incarcerated as adults in the adult criminal justice system. While there are a number of research studies on the impact of youth tried as adults, this kind of qualitative research - highlighting the personal stories of youth in adult correctional facilities - has not been readily available.

Further, it is important to note that the protections of the Juvenile Justice & Delinquency Prevention Act (JJDP A), approved by Congress in 1974 to safeguard youth from incarceration in adult jails and facilities, do not apply to youth who are prosecuted in the adult criminal justice system. One of the main reasons for establishing the JJDP A in 1974 was a national concern about the negative and long-term impact on incarcerated youth for any length of time in adult jails and prisons. A core requirement for states in receiving funding under the JJDP A is to ensure that children are not incarcerated in adult jails and prisons and in the few limited exceptions provided for in the law, to ensure that youth do not have any contact with adults. Over the past 30 years, the JJDP A has been extremely effective in keeping large numbers of youth from being incarcerated with adults. However, since many states changed their laws in the 1990's to remove children from the juvenile justice system altogether, the JJDP A's protections do not apply. Youth who are tried and sentenced as adults can be incarcerated in adult jails and prisons.

With changes in state laws that have resulted in more youth entering the adult criminal justice system, it is imperative that we understand, first hand, the impact of these statutes. The qualitative research undertaken in this project will give us a current understanding of how youth are treated in adult facilities, what services they are receiving, how they feel about incarceration in the adult criminal justice system, and their recommendations for change. This campaign will help ensure that the voices of youth and the voices of their families are heard through the development of recommendations for change provided to state and local policymakers and practitioners.

Purpose

Interviewing current and formerly incarcerated youth in the adult criminal justice system, their parents and families has a variety of purposes:

- To document experiences and identify patterns, trends, and “red flags” for further investigation with an emphasis on lack of services and educational programs, poor conditions, litigation issues, and areas for further research;
- To establish a connection with these youth and their families;
- To engage, involve and empower youth, parents and families in the policy process;
- To illustrate concretely to policymakers, the public, and the media how state policies which try and sentence youth directly impact youth, their parents, and families.

Through the process, advocates are seeking to understand how to improve the conditions of confinement for an individual youth or group of youth in adult jails and prisons. The interview process will furnish qualitative data to define the consequences of trying youth as adults. These efforts are meant to inform policymakers on the failed approach of incarcerating youth in adult facilities. This interview process should not be a combative or litigious situation since adult jail and prison administrators and staff are potential allies in our efforts. The ultimate goals of conducting these interviews is to inform and change public policy with the involvement of those most directly impacted – youth incarcerated in the adult criminal justice system.

Interview Process

The recommendations for the interview process in this guide were prepared in consultation with national experts at the *Center for Children's Law & Policy*, *Juvenile Law Center*, *National Mental Health Association*, *the Justice Policy Institute* and highly experienced and respected researchers such as Dr. Donna Bishop.

Recommended steps for the organizer and/or organization:

1) Prepare a written interview plan & timeline

Prepare a plan for a 3-6 month period that includes the following activities:

- Establishing goals for utilizing the information from the interviews to inform policymakers (e.g. policy paper, written testimony, report, case examples, press);
- Identifying current and formerly incarcerated youth;
- Outreach to incarcerated youth, their parents, formerly incarcerated youth, advocates, and community groups (sample outreach forms included);
- Outreach to potential interviewers;
- Scheduling training for interviewers;
- Preparing training protocols, forms and materials;
- Scheduling interviews;
- Planning post-interview follow up;
- Utilizing interview information.

2) Identify current and formerly incarcerated youth

There are a number of ways to identify current and formerly incarcerated youth in the adult criminal justice system. In addition to the contacts provided below, it will be important to make connections with adult criminal justice reformers and other advocates who have experience working in these facilities. These are a few suggestions to get you started:

State Departments of Corrections

Every state's Department of Corrections (DOC) will provide information on how many and where youth are housed in the adult criminal justice system. For contact information for your state's DOC, visit the American Correctional Association's website at:

<http://www.corrections.com/links/viewlinks.asp?Cat=30>

Adult Jails

To find out where youth may be housed in adult jails in your state, visit the American Jail Association's website at:

<http://www.corrections.com/aja/index.shtml>

Faith Community

A number of faith groups regularly visit and minister to youth and adult inmates. You may try contacting the chaplain at a specific facility to find out whether he/she is in contact with youth who are incarcerated in any facilities they minister to regularly. You may consider asking whether you can accompany the chaplain on his/her next visit and be introduced to these youth. For a contact list of chaplains, visit: <http://www.correctionalchaplains.org/>

Parent, Family & Formerly Incarcerated Prisoner Support Groups

You may consider partnering with these groups and ask them to share youth and parent outreach forms with their members, on list-serves and at-meetings:

CURE <http://www.curenational.org/new/index.html>

FAMM <http://www.famm.org>

Sentencing Advocates

NASA <http://www.sentencingproject.org/nasa/>

Legal Community & Prison Litigation Advocates

National Association of Criminal Defense Lawyers www.nacdl.org

National Juvenile Defender Center www.njdc.info

For additional suggestions and a list of contacts in your state, contact the *Campaign for Youth Justice*.

3) Outreach to and obtain consent from current & formerly incarcerated youth and their parents

We recommend that you contact legal advocacy organizations along with community groups and advocates. Further, we suggest you partner with parent, family, and formerly incarcerated prisoner support groups and ask them to share youth and parent outreach forms with their members, on list-serves and at-meetings.

In many states, you will be able to plan a correctional facility visit and obtain consent from individual youth at the facility while you are there.

In other states, you may need to obtain parental or guardian consent first. Simple ways to seek consent include:

- Meeting parents on visitation days - either in the parking lot or on the bus;
- Contacting attorneys and other legal advocates for assistance;
- Asking prison officials to send out cover letters about the project along with the outreach form.

In all cases, you will want to ensure you obtain a large enough number of consent forms from youth in any one facility. To guarantee that youth do not face retaliation after speaking with you, it will be important to interview several dozen youth.

This means that if your state DOC requires both parent and youth consent, you will need to obtain the appropriate permissions from parents ahead of time and then plan to conduct interviews with youth once you have this information. This may take several months to accomplish.

Sample parent and youth outreach forms, as well as consent forms are included in this guide.

4) Obtain consent (if needed) from your state Department of Corrections or facility director/staff

In some states, we expect that you will need to obtain permission from the individual facility director or state Department of Corrections administrators in order to talk to currently incarcerated youth. This will vary from state to state and we suggest that you conduct some preliminary research in order to determine your approach.

You may need to provide a letter of introduction to your state DOC or facility director. Additionally, you may be required to review your interview protocols, including interview questions and consent form with agency officials and/or their internal review board. We've included a sample document from the *National Mental Health Association* that was utilized in their research. You may need to create a similar one for your efforts if required by your state's DOC. Included in this packet is a *Campaign for Youth Justice* interview project description for you to utilize with any officials.

5) Outreach to potential interviewers and assemble an "interview team"

In order to interview as many incarcerated youth on any given day, you will need to consider a "team" approach to conducting the interviews:

- Involve as diverse a team as possible including youth, law students, medical students, graduate students, lawyers, advocates, medical and mental health professionals, advocates and community members;
- Consider partnering with local university legal clinics, medical student associations and community groups in generating interest in conducting interviews. For example you may

want to contact the local chapter of *Physicians for Human Rights* as they are a partner of the *Campaign for Youth Justice*. For information on CFYJ partners, visit <http://www.campaignforyouthjustice.org>.

- Ask for written background experience information on potential interviewers;
- Provide hands-on training to all potential interviewers;
- Require interview team members to sign a confidentiality form (sample included).

6) Plan and conduct an ‘interview team’ training

- Review materials in this guide beforehand and make copies of the guide and relevant consent forms;
- Include a *Human Subjects Protection Training* for your interview team. A two-hour web-based training is available online from the National Institutes of Health at: <http://cme.cancer.gov/clinicaltrials/learning/humanparticipant-protections.asp>;
- Prepare additional materials incorporating your state’s specific laws regarding children (such as your state’s laws on mandated reporters, educational requirements for youth, protections for incarcerated persons);
- Consult with the *Campaign for Youth Justice* on your interview training;
- Schedule several hands-on training sessions for your interview team and include advocates, lawyers and mental health professionals as trainers;
- Include interview techniques and role playing in your training;
- Schedule several trainings for interviewers so that they obtain all of the information and feel comfortable conducting interviews.

7) Plan for interviews/facility visit

- Plan to be at the facility all day (and potentially for several days);
- Confirm dates and schedules with facility administrators and staff;
- Confirm dates and schedules with your interview team;
- Review facility information (i.e. # of youth, # of units, which units);

- Plan for each interviewer to conduct 5 to 6 interviews per day;
- Plan for less interviews (e.g.3 to 5) for less experienced interviewers;
- Pair up more experienced and less experienced interviewers;
- Prepare referral cards/sheets for interviewers to give to youth (YLC sample included);
- Assign each interviewer a research identification number so as to ensure confidentiality of the information obtained in the interviews. The interviewer can then record an additional number for each youth they interview. For example, Interviewer #1 obtains research identification #1. His interviewees become #1-1, #1-2, etc...This is the only identifying information that is kept with the interview notes and is designed to guarantee that the information obtained in the interviews is kept confidential (see sample interview checklist).
- Plan time to eat a meal there (lunch or dinner);
- Plan to visit during non-business hours as well;
- Build in time to regroup right after the interviews;
- Ask interviewers to type up their notes right away;
- Write up your proposed course of action and share with your interview team along with confirmed dates/schedule and contact information, including cell #'s and emergency contacts.

8) “Day of” interview preparation

- Dress casually;
- Don’t bring a lot of extra stuff (e.g. brief cases, laptops, knapsacks);
- Bring paper, pen, and referral cards/sheets;
- Plan to eat a meal there (lunch or dinner);
- Schedule 45 minutes to an hour per interview and build in extra time for breaks, meal(s) and facility tour;
- Be sure to introduce yourself to facility staff;
- Secure a private location for interviews;

- Start with a brief facility tour if possible, but do not allow facility administrators to take up all your time on a tour. You may even want to schedule a separate facility tour for your team if they've never been to the facility before and plan interviews on a separate day;
- Plan to regroup with your interview team at the end of the interviews (give approximate time and location).

9) Practice and implement interview techniques

Here are a few general techniques to keep in mind. As you conduct interviews, you will develop a few techniques of your own:

Overview

- Talk to the youth individually. Group interviews are never advised (due to confidentiality concerns);
- Interview as many youth as possible, so they feel safe and will not fear retaliation;
- Talk to staff and administrators as they may not know why you are there. They can be potential allies in this process;
- Plan to spend time talking to youth on the units;
- Pair up if needed (less experienced w/more experienced) but do not include more than 2 interviewers per interview with a youth;
- Unobtrusive note taking is advised and be sure to ask first;
- Don't try to 'get it all down' in one interview;
- Sample interview questions are not meant to be read, but to serve as a guide;

At the start of the interview

- Introduce yourself, tell why are you there, and how the information gleaned will inform policymakers;
- Explain that this is a voluntary interview and that he/she does not have to participate;
- Ask the youth's permission to be interviewed and obtain verbal and signed written consent from the youth. If you have been required to and/or obtained consent from the youth's parent or guardian, inform the youth;

- Tell the youth that he/she does not have to answer any questions that he/she does not want to answer or feels uncomfortable answering;
- Explain that you are not here to discuss the details of his/her case or the reasons for any treatment that he/she may be receiving (e.g. mental health, drug or alcohol treatment). This is absolutely critical so that you do not create any false expectations or interfere in any way with a youth's pending legal matter such as an appeal;
- State that you are not a lawyer. If you are an attorney, state that you cannot represent youth participating in this process;
- State that the information will be used to inform policymakers but that the youth's identity will be kept confidential;
- State that if the youth discloses that he/she has been harmed or intends to harm his/her self or others that you will need to notify the appropriate mental health officials. If you are a mandated reporter, you will need to ensure that the law is adhered to;
- Ask the youth if they have any questions;
- Initiate the interview once the youth has agreed that he/she understands and has given his/her consent to proceed.

During the interview

Included in this guide are several sample materials to assist you in conducting an interview, such as a sample script, sample checklist and a sample set of interview questions. These are meant to serve *only* as a guide and are not to be read verbatim. Throughout your interviews, you will want to try to cover as many of the topics on the sample checklist, but you may not be able to. It will be important for you to listen and follow along with what each individual youth is saying and let him/her tell you what he/she is most concerned about. In your first few interviews, you will hear concerns and issues that you may wish to investigate during subsequent interviews. Do not give the impression that these new concerns were raised by previous interviewees. This will help you identify patterns, trends and red flags for further research and investigation.

If a youth discloses that he/she has been harmed by someone, is the victim of abuse, or intends to harm his/herself or others, you will need to tell the youth that you need to report this information to the appropriate officials. It will be crucial to have an understanding of your state's mandated reporter laws and to decide up front how your team will handle reported abuse of children by facility staff. In those instances, it will not be appropriate to inform facility staff at that time, but instead make an attorney referral.

In consultation with national experts at the Center for Children's Law and Policy, Juvenile Law Center, National Mental Health Association and the Justice Policy Institute, we understand that it is

extremely rare that a youth may experience a mental health crisis while talking with an interviewer. However, we want to ensure that interviewers are prepared and that the youth knows up front that if he/she provides this information, it may be reported to agency officials. Some youth may decide not to disclose information because they may fear retaliation from staff.

If a youth starts providing details of his/her case during the interview, it is imperative that you let them know again that you are not here to discuss the details of his/her case or to represent him/her. This is absolutely critical so that you do not create any false expectations or interfere in any way with a youth's pending legal matter such as an appeal.

If a youth seems uncomfortable with any question, be sure to let him/her know that he/she does not have to answer any question that he/she does not want to answer.

At the end of the interview

Before concluding the interview, be sure to do the following (sample script included in this guide):

- Thank the youth for his/her time and ask if he/she would like to be in touch;
- Provide a business card;
- Ask if he/she has any other ideas or questions.

10) Post-interview follow-up

- Regroup with your team at the end of the day;
- Compare notes with your colleagues and make a list of common red flags, issues and concerns;
- Write up interview notes right away and turn them in to the lead staffer along with original notes;
- Compile a short report with feedback from your interview team that identifies red flags, key issues and concerns;

- Strategize with your team on how to follow up on the red flags including meeting with facility administrators; planning a second facility visit; and inviting educational, mental health and legal professionals to assist with additional investigation;
- Plan for follow-up contact with youth while they are at the facility and once they leave;
- Plan for follow-up contact with key people that youth identify during interviews and with whom follow-up is recommended ;
- You may decide that you want to gather additional information about youth whom you have interviewed such as their case record or other background information. While that may be beyond the scope of this project, you may want to consider this for case examples that you decide you would like to highlight publicly in your advocacy efforts. In these instances, you will need to ask for consent from the youth to utilize any information in a public way (in some states, obtain parental consent as well) and you may want to obtain case files. Included in this packet is a sample form for obtaining additional information from DC PDS.

Sample Interview Script

At the beginning of the interview:

- “I’m _____” and I am here on behalf of [insert group]. We [insert mission] and we are interested in talking with you about your experiences here and how you think the justice system needs to be changed. We are especially concerned about the impact of our state’s law that requires [insert what your state’s law on prosecuting youth in the adult criminal justice system];
- This is a voluntary interview and you do not have to participate. It will take roughly 45 minutes to an hour of your time;
- Are you interested in being interviewed today?
- Before you sign this form and before I start the interview, I need to let you know a few things.
- You do not have to answer any questions that you do not want to answer;
- I am not here to discuss the details of your case or the reasons for any treatment that you may be receiving (e.g. mental health, drug or alcohol treatment);
- I am not a lawyer or I am a lawyer, but I cannot represent you;
- The information from this interview will be used to inform policymakers and your identity will be confidential;
- If you tell me that you have been harmed here or that you intend to harm yourself or others, I will need to notify the appropriate mental health officials;
- Do you have any questions?
- Let’s go over this consent form (review with youth);
- Do you have any questions about this form?

Initiate the interview once the youth has agreed that he/she understands and has given his/her verbal and written consent to proceed.

During the interview:

If a youth discloses to you that he/she has been harmed by someone, is the victim of abuse, or intends to harm his/herself or others, you will need to tell the youth that you need to report this information to the appropriate officials. [If your state has a mandated reporter law, insert specific language pertaining to the law here.]

If a youth starts providing details of his/her case, let him/her know again that you are not here to discuss the details of his/her case or to provide legal representation.

If a youth seems uncomfortable with any question, be sure to let him/her know that he/she does not have to answer any question that he/she does not want to answer.

At the end of the interview:

- We would like to keep in touch with you. Can I contact you again?
- Would you be interested in getting involved in making the system better for youth who come after you?
- Here is a business card. Would you be willing to send me a letter, story, autobiography or poem about the system and how you think it should change? I will keep your identify confidential
- Do you have any other ideas on how I can help you?
- Is there anything else I should know?
- Thank you for taking the time to talk with me today.

Sample Interview Checklist

[Note: This checklist is designed to serve as a guide for your interviews. You may want to make copies of this to utilize during your facility visit so that you have one checklist per interview].

Interviewer # _____

Interview # _____

Conviction (Charge)/Sentence

Previous Placements/Foster Care System Involvement

Recommendations for System Change

Stories of Life in Adult System

Comparison to Juvenile System

Safety

Social Life

Punishment/Lockdown

Contact with Adults

Relations with COs

Access to Services

Education

Free time

Health Care

Mental Health

Drug Programs

Exercise

Nutrition

Outside Contacts

Inside Allies

Sample Interview Questions

Please note: These questions are to serve as a guide to help you consider how to ask questions in these different areas. These questions are not meant to be read or to be comprehensively covered in an initial interview with youth. You may want to start with a different set of questions to establish rapport with youth, and you may want to develop your own style and technique of discussing these topics. The goal of these interviews are to establish a rapport with youth, identify red flags for further investigation & research as well as patterns/trends, and to ask youth for their analysis and opinions on how they believe the system should be changed.

I. ESTABLISHING RAPPORT

- Tell me a little about yourself. If incarcerated, how did you end up here? Where are you from?
- When you were out, who was the most important person in your life? (a teacher, a mentor, someone you played sports with?) Do you know how I could call them?
- Before you were locked up, what did you do that made you most happy?

II. ADULT SYSTEM

PREPARING TO ENTER THE ADULT SYSTEM

- When did you first find out you were being treated and “tried” as an adult?
- Were you held in a juvenile detention or adult jail during your case? For how long?
- Did you know you were coming here, to this place?
- How did you feel about it?
- How did you prepare for coming here?
- When do you get out?
- What do you want to do when you get out?

STORIES OF LIFE IN THE FACILITY

- What’s this place like?
- Tell me what you do on a typical day. What had you heard about this place before coming here?
- What shocks/ed you about being here?
- What is different about this place, compared to juvie, or outside?
- What are the 3 hardest things about being locked up here? [give them a chance to mention more than food complaints or something like that]
- What good things do you think you are learning from being locked up? Are there any ways you see yourself changing as a person? (What do you think about the ways you’re changing?)
- What bad things do you think you are learning from being locked up?

- Do your cells get warm in the winter? Are they hot in the summer? Are they cold in the winter? Cool in the summer? Do you have enough blankets and appropriate clothing for the weather/climate?
- Do you have a commissary account? What kind of things can someone order? What do you like to order?
- How do you get money on your books? Can you work? Does your family help?

SAFETY

- Tell me about the Correctional Officers (CO's) on your unit? Do they help you? Do they protect you?
- Do youth feel safe in here? Do some youth feel like they have to protect themselves? What do youth have to do to protect themselves? Do you know anyone who has been threatened by COs or other inmates?
- Where do youth feel the safest, in here?
- Tell me about the social life, are there clubs/associations? Are they necessary for survival/defense behind bars? If so, how are they organized (even if loosely)?
- Are there fights? How often? Have you had to fight? Why? Do you know others who have had to fight? Why? Is it mostly protection? Beef?
- Do you know if there are sexual assaults or rapes?
- Do people steal stuff, like commissary or mail or clothes?
- How are people punished by COs? How are people punished by other inmates?

ADULT CONTACT

- What kind of people are on your unit? [Explain they can talk in general and need not give any specific detail.] What did they do to get here? How old are they? Who is the oldest person you've been in contact with? Who's the scariest person you've been in contact with?
- Is it hard to share a cell?

COMPARISON TO THE JUVENILE JUSTICE SYSTEM

- Have you been in any other placements? Where else have you been?
- How does this place compare to other places you've been? How does it compare to juvie, a group home, or your home? Which is best and why?
- Who is the most important or most helpful person to you here? (a teacher, a chaplain, community groups/volunteers, a doctor, a CO?)

III. PROGRAMS AND SERVICES

EDUCATION

- Where were you in school before you came here? What grade/GED?
- Are you in school here?
- What's the school like here? How is different than school on the outside, or in juvie?
- What is your teacher like? Is he/she better/worse
- How much time do you spend in school? Is that less than juvie, or on the outside?
- What kind of books do you use, or are you reading?
- Are there computers in here?
- What is your favorite part of school/work here?
- What do you wish you were doing in school/work that you are not doing anymore? What kind of education do you think you should have?
- Is there a law library? Is there a regular library? Is there a computer lab? How much time do you get to spend in each?
- Is there tutoring if you need help in a subject?
- Do you get the newspaper? Magazines?
- What kind of TV programs do you get to watch, if any?
- Do you have free time on your block/tier? If so, how much? Are you locked in your cell? How long?
- Are there any other training programs or opportunities for you? (I'd start with some general questions about programs - -and then probe for details about health, mental health, drug programs etc.)
- What other kinds of programs do they have here?
- Who can you talk to if you have a problem? (Or if you're depressed or pissed off?)

HEALTH/MENTAL HEALTH

- If a youth is sick in here, would they be able to see a doctor? How often?
- What happens if someone is having a problem, are they able to talk to a counselor?
- What if someone is hurt by another inmate or by staff, are they able to see a doctor? How is that responded to?

NUTRITION

- What's the food like here?
- Is there enough food? What do you wish you could be eating?
- Are you ever hungry?
- Does the food ever make you drowsy?
- Do you get fruits and vegetables? What kind?
- Do you have to order food from the commissary? If so, what kind? How much?

EXERCISE

- Do youth get outside? How often? Every day?
- What do youth get to do outside?
- Where do youth go when it rains?
- Do youth get to play ball? What kind? Are there referees for the games? Are there other types of equipment available?
- Are there any other programs? Like aerobics?
- What's your favorite activity or program?

IV. RELATIONSHIPS/ADVOCATES

FAMILY CONTACTS

- Who do most youth keep in touch with on the outside?
- How often? How? (by phone, visits, mail)
- Who, outside, knows you best? How do I get in touch with them?

ADVOCATES – INSIDE & OUTSIDE

- Who do most youth turn to when you need help? Teacher, Counselor, CO?
- Who/what has made this place here better/bearable for you?
- If a youth wanted to talk to a lawyer, would they be able to do so? What about a special education lawyer?

V. RECOMMENDATIONS FOR CHANGE

- How should the system be changed?
- What could have made this place better/bearable for you?
- What would you say to the Warden/Governor if she/he was here right now? What would you tell them to change?
- What would you tell other kids who are going through the system?
- Do you think kids should be locked up w/ grown ups?
- If you were a judge, where would you have put someone like you? What would you tell others, in general, about transferring children to adult court?

Sample Parent & Youth Interview Consent Form

Purpose: The Campaign for Youth Justice (CFYJ) is conducting interviews with current and formerly incarcerated youth to obtain information on the impact of state laws and policies on trying, sentencing, and incarcerating youth in the adult criminal justice information. CFYJ will use the information from these interviews to inform state policy makers, the public and the media on the impact of this law. Any information obtained from these interviews that could identify a youth will be kept strictly confidential.

Name of Youth: _____ Male Female

Date of Birth: _____

Facility [if incarcerated]: _____

Parent/Guardian Consent:

I voluntarily give the Campaign for Youth Justice (CFYJ) my consent to talk with my child about his/her experience in the adult criminal justice system. I understand that any information from these interviews that could identify my son/daughter will be kept strictly confidential and that CFYJ will not attribute any specific information or refer to my son/daughter by name and will not share any information about my child without my and my child's express consent. If my son/daughter should disclose during an interview that he/she has been harmed or intends to harm his/herself or others, I understand that the appropriate mental health professionals may be notified.

Name of Parent/Guardian (print) _____ Date: _____

Signature: _____

Address: _____

Phone: _____

Please send me more information about the Campaign for Youth Justice.

Youth Consent:

I voluntarily give the Campaign for Youth Justice (CFYJ) my consent to talk with me about my experience in the adult criminal justice system. I understand that any information from these interviews that could identify me will be kept strictly confidential and that CFYJ will not attribute any specific information or refer to my case by name and will not share any information about me without my express consent. I understand that if I disclose during an interview that I have been harmed or may harm myself or others, that the appropriate mental health professionals may be notified.

Name (signature): _____ Date: _____

Can we contact you after release? Yes/No (circle one)

Contact information after release: Phone: _____

Address: _____

**Please sign and send by fax or mail to the attention of Jessica Sandoval
Campaign for Youth Justice, 1012 14th Street, NW, Suite 610, Washington, DC 20005
Fax: 202.387.9807**

Sample Interviewer Consent Form

Purpose: The Campaign for Youth Justice (CFYJ) is conducting interviews with current and formerly incarcerated youth to obtain information on the impact of state laws and policies on trying, sentencing, and incarcerating youth in the adult criminal justice information. CFYJ will use the information from these interviews to inform state policy makers, the public and the media on the impact of this law. Any information obtained from these interviews that could identify a youth will be kept strictly confidential.

Name of interviewer: (print) _____ Date: _____

Signature: _____

Address: _____

Phone: _____

Please send me more information about the Campaign for Youth Justice (CFYJ).

Consent:

In conducting interviews with current and/or formerly incarcerated youth on behalf of the Campaign for Youth Justice (CFYJ), I agree to provide information from these interviews only to the CFYJ. I will not disclose any information from these interviews to anyone else. I agree that I will participate in CTJJA's interview training and strictly adhere to the interview protocols outlined by the CFYJ.

Prior to interviewing each youth, I will:

- Introduce myself and state that I am interviewing on behalf of CFYJ;
- Tell the youth that this is a voluntary interview and that they do not have to participate;
- Ask the youth's permission to be interviewed and obtain verbal and signed written consent from the youth;
- Tell the youth that they do not have to answer any questions they do not want to answer;
- Say that I am not here to discuss the details of their case or the reasons for any treatment that they may be receiving (e.g. mental health, drug or alcohol treatment);
- State that I am not a lawyer (if I am not) and that I cannot represent youth;
- State that the information will be used to inform policymakers but that youth's identity is confidential;
- State that if the youth discloses that he/she has been harmed or intends to harm his/her self or others, that I will need to notify the appropriate mental health officials;
- Ask the youth if they have any questions;

- Initiate the interview once the youth has agreed that he/she understands and has given his/her verbal and written consent to proceed.

Name (signature): _____ Date: _____

**Please sign and send by fax or mail to the attention of Jessica Sandoval
Campaign for Youth Justice, 1012 14th Street, NW, Suite 610, Washington, DC 20005
Fax: 202.387.9807**

Sample Youth Outreach Flyer

We want to hear from you!

- ✓ Are you under age 18 and currently incarcerated in an adult jail or prison?
- ✓ Are you over 18, in an adult jail or prison, but went in before you turned 18?
- ✓ Were you ever at an adult jail or prison before you turned 18?

If you answered yes to any of the above, we want to hear from you!

Who are we?

We are with the Campaign for Youth Justice (CFYJ) which is a national initiative dedicated to ending the practice of trying, sentencing and incarcerating youth in the adult criminal justice system. We work to promote a safe, effective and fair justice system and rehabilitative services for youth who may be in or at risk of being in the justice system.

Why do we want to talk to you?

We want to hear from you and other youth first hand about your experiences in adult jail or prison. You are the experts on the adult criminal justice system and we want to talk to you directly. We are very concerned about state laws that require youth to be prosecuted as adults. We want to know how state laws and policies may have negatively hurt you and we want to know how you think the system can be changed.

What questions will we ask?

We want to know how you got here, what your experience has been, whether you are getting an education, who helped you and who didn't, what you would tell other youth entering adult jail or prison and how you would change the system.

How will we use this information?

We want to share what we learn from talking with you and other youth with national, state and local policymakers. We want them to know what you think and how you think the system can be changed. Any information obtained from talking with you that could identify you will be kept strictly confidential. We will not refer to your individual case by name. We will not release any information without you and your parent or guardian's permission.

Are you interested in talking with us?

On the other side of this paper is a "release" form that you can sign to give us permission to talk to you. You do not have to sign this form. And if you do sign this form, you can still say no to talking to us at any time. If you are under 18, we also need your parent or guardian's ok for you to talk with us.

Questions? Please let us know. Here is how you can reach us:

Jessica Sandoval
Campaign for Youth Justice, 1012 14th Street, NW, Suite 610, Washington, DC 20005
Phone: 202.558.3580 ext. 14.

Sample Parent Outreach Flyer

*Are You the Family Member
of A Child Who Has Experienced
the Justice System?*

If So, We Would Like to Talk to You!

Please contact Dianne Samu from the Campaign for Youth Justice:
(240) 274-6540

The Justice 4 Youth! Coalition (JDCY) is a coalition of youth, youth organizers, parents, advocates, artists, faith-based organizations, and concerned citizens working together for a more effective youth justice system in Washington D.C.

The Campaign for Youth Justice (CFYJ) is a national campaign dedicated to ending the practice of trying, sentencing and incarcerating children in the adult criminal justice system.

The Campaign for Youth Justice (CFYJ) and the Justice 4 DC Youth! Coalition (JDCY) are working together to highlight the personal stories of youth and their families who have experienced the justice system. We want to share what we learn with policymakers, the public and the media. We will not share any information about an individual without a signed consent form.

For more information about the Justice 4 DC Youth! Coalition, please visit the JDCY website at: www.jdcy.org

For more information about the Campaign for Youth Justice campaign,

Case Stories of Current and Formerly Incarcerated Youth

Here are a few other examples of utilizing case stories in youth justice advocacy efforts:

Second Chances: 100 Years of the Children's Court, Giving Kids a Chance to Make a Better Choice

Produced by the Justice Policy Institute and the Children & Family Justice Center in 1999. The report is available on the web at:

<http://www.justicepolicy.org/article.php?list=type&type=63>

This book highlights stories of individuals who were in trouble as youth and were treated in the juvenile justice system, rather than the adult criminal justice system.

Donde Esta La Justicia?

Produced by Dr. Francisco Villarruel and Nancy Walker, Building Blocks for Youth, in 2003. This report is available on the web at:

http://www.buildingblocksforyouth.org/latino_rpt/index.html

This report identifies major issues for latino youth in the justice system and utilizes personal stories to highlight some of the issues.

Voices From Inside: The Case for Closing California's "Chad" Youth Prison

A report produced by Books Not Bars in 2005. This report is available on the web at:

<http://www.ellabakercenter.org/page.php?pageid=38&contentid=292>

This report highlights stories of formerly incarcerated youth in one particular facility in the juvenile justice system in California. Youth's names are changed to protect their identities.

For the Rest of Their Lives: Life Without Parole for Child Offenders in the United States

A report produced by Human Rights Watch and Amnesty International in 2005. The report is available on the web at:

<http://hrw.org/reports/2005/us1005/>

The report highlights case profiles of youth who are serving life without parole.

The Consequences Aren't Minor: The Impact of Trying Youth As Adults and Strategies for Reform

Produced by the Campaign for Youth Justice (CFYJ) and the Justice Policy Institute in 2007. This report is available on the web at:

<http://www.campaignforyouthjustice.org>

The report profiles case stories of youth who have been tried, sentenced or incarcerated in the adult criminal justice system.

Appendix

Youth Law Center CHAPTERS

Legal Issues in Conditions of Confinement

Classification

Health & Mental Health

- Screening at admission
- Full evaluation
- Emergency services
- On-going services
- Administration of medications
- Right to refuse treatment

Access (to the outside world)

- Mail
- Telephone
- Visitation
- Access to the courts and counsel

Programming

- Education – general education, special education
- Exercise and recreation
- Religion
- Other programming

Training and Supervision of Employees

Environmental Issues

- Sanitation
- Food
- Ventilation, heating, cooling
- Exposure to environmental hazards
- Fire safety
- Lighting
- Clothing and personal items
- Overcrowding, adequate living space, privacy

Restraints, Isolation, Due Process, Grievances

- Restraints
- Isolation
- Corporal Punishment
- Due process in disciplinary hearings
- Grievance procedures

Safety

Youth Law Center Sample Youth Referral Sheet

Were You Convicted of a Crime Committed BEFORE You Turned 18?

The Youth Law Center is collecting stories of inmates that were convicted in the adult system (rather than the juvenile system). Please contact us with your CDC#. We accept collect calls.

Neelum Arya
Youth Law Center
417 Montgomery St., Suite 900
San Francisco, CA 94104
(415) 543-3379 x. 3909

Please note: We do not take any individual cases, and cannot provide individual legal assistance.

Were You Convicted of a Crime Committed BEFORE You Turned 18?

The Youth Law Center is collecting stories of inmates that were convicted in the adult system (rather than the juvenile system). Please contact us with your CDC#. We accept collect calls.

Neelum Arya
Youth Law Center
417 Montgomery St., Suite 900
San Francisco, CA 94104
(415) 543-3379 x. 3909

Please note: We do not take any individual cases, and cannot provide individual legal assistance.

Were You Convicted of a Crime Committed BEFORE You Turned 18?

The Youth Law Center is collecting stories of inmates that were convicted in the adult system (rather than the juvenile system). Please contact us with your CDC#. We accept collect calls.

Neelum Arya
Youth Law Center
417 Montgomery St., Suite 900
San Francisco, CA 94104
(415) 543-3379 x. 3909

Please note: We do not take any individual cases, and cannot provide individual legal assistance.

Were You Convicted of a Crime Committed BEFORE You Turned 18?

The Youth Law Center is collecting stories of inmates that were convicted in the adult system (rather than the juvenile system). Please contact us with your CDC#. We accept collect calls.

Neelum Arya
Youth Law Center
417 Montgomery St., Suite 900
San Francisco, CA 94104
(415) 543-3379 x. 3909

Please note: We do not take any individual cases, and cannot provide individual legal assistance.

Youth Law Center Sample Family Referral Sheet

Please give these to your family members or loved ones.

The Youth Law Center is interested in hearing from youth and families that have been affected by Prop 21.

The Youth Law Center is working to reduce the length of sentences of youth who committed their crimes before the age of 18. We hope to work to pass legislation that may help your son, daughter, or other loved one.

If you are interested in joining these efforts, please contact:

Neelum Arya
Soros Justice Fellow
Youth Law Center
417 Montgomery St., Suite 900
San Francisco, CA 94104
(415) 543-3379 x. 3909

Please note: We do not take any individual cases, and cannot provide you with individual legal assistance.

The Youth Law Center is interested in hearing from youth and families that have been affected by Prop 21.

The Youth Law Center is working to reduce the length of sentences of youth who committed their crimes before the age of 18. We hope to work to pass legislation that may help your son, daughter, or other loved one.

If you are interested in joining these efforts, please contact:

Neelum Arya
Soros Justice Fellow
Youth Law Center
417 Montgomery St., Suite 900
San Francisco, CA 94104
(415) 543-3379 x. 3909

Please note: We do not take any individual cases, and cannot provide you with individual legal assistance

The Youth Law Center is interested in hearing from youth and families that have been affected by Prop 21.

The Youth Law Center is working to reduce the length of sentences of youth who committed their crimes before the age of 18. We hope to work to pass legislation that may help your son, daughter, or other loved one.

If you are interested in joining these efforts, please contact:

Neelum Arya
Soros Justice Fellow
Youth Law Center
417 Montgomery St., Suite 900
San Francisco, CA 94104
(415) 543-3379 x. 3909

Please note: We do not take any individual cases, and cannot provide you with individual legal assistance.

The Youth Law Center is interested in hearing from youth and families that have been affected by Prop 21.

The Youth Law Center is working to reduce the length of sentences of youth who committed their crimes before the age of 18. We hope to work to pass legislation that may help your son, daughter, or other loved one.

If you are interested in joining these efforts, please contact:

Neelum Arya
Soros Justice Fellow
Youth Law Center
417 Montgomery St., Suite 900
San Francisco, CA 94104
(415) 543-3379 x. 3909

Please note: We do not take any individual cases, and cannot provide you with individual legal assistance.

NMHA CONFIDENTIALITY STATEMENT

NATIONAL MENTAL HEALTH ASSOCIATION ALTERNATIVES TO DETENTION PROJECT DESCRIPTION

This project serves to document whether there are some youths who have mental health needs who are incarcerated in long-term, juvenile correctional facilities and who might have been better served through diversion to some type of community-based setting; identify, from the perspectives of youths, their families, practitioners, officials, and other key stakeholders, what earlier indications of mental health issues there may have been, the efforts that may have been made to access appropriate mental health services, and the barrier that were encountered; and identify, again from the perspectives of these same individuals, potential and feasible solutions for promoting diversion of adjudicated youths with mental health needs to appropriate community-based services.

CONFIDENTIALITY AND JUVENILE PARTICIPANT PROTECTION (SPP)

1. Protection of Clients and Staff from Potential Risk:

- A. **Foreseeable Risks:** There are no foreseeable physical, medical, psychological, social, legal or other risks anticipated as outcomes of participation in this initiative.
- B. **Risks due to Participation in the Project or Evaluation:** There are no foreseeable risks associated with participation in the project. The information gathered in interviews will only be accessible to those professionals who are involved in the project and are trained in appropriate confidentiality practices. This data will only be used as anonymous research in the effort to gain more effective and more appropriate treatment and services for the juveniles with mental illnesses, disorders, and substance abuse problems in detention. Furthermore, information will be used to aid advocates in developing policy recommendations around community-based alternatives to detention.
- C. **Minimization of Potential Confidentiality and Other Risks:** Risks to the confidentiality of evaluation information will be minimized by allowing access to it only to authorized professionals involved in this project, utilizing anonymous survey instruments whenever possible and by creating separate evaluation datasets containing research identification numbers. **At no time after the interviews will an individual's name be associated with evaluation data.**
- D. **Plans to Provide Help:** It is not anticipated that any adverse effects will result from the project evaluation activities, but should the need arise, referrals will be made to appropriate services in a timely manner.

2. Fair Selection of Participants:

- A. **Target Population:** This initiative is intended to serve juveniles in detention, particularly those with mental health and substance abuse problems, eventually including

the full diversity of communities in terms of geographic distribution, size, ethnic composition, and the gender of participants.

- B. **Reasons for Using Special Types of Participants:** Beyond those specified above in 2a, there will be no “special” types of participants involved in this initiative.
- C. **Reasons for Including or Excluding Participants:** Participants will include those listed in 2. Specifically, participants were chosen based on accessibility, their status and background in the juvenile justice system, and their mental health status.
- D. **Recruitment and Selection of Participants:** Participants will include those listed in 2. Specifically, participants were chosen based on accessibility, their status and background in the juvenile justice system, and their mental health status.

3. **Absence of Coercion:**

- A. **Voluntary Participation:** Participation in all activities will be voluntary, including participation in any interview activities. This voluntary participation will be conveyed to all participants and their guardians.
- B. **Payment for Participation:** No one will be paid or awarded gifts for their participation in any activities.

4. **Data Collection:**

- A. **Specimens:** No bodily specimens will be used as part of data collection procedures.
- B. **Data Collection Instruments/Interview Protocols:** Copies of all presently available data collection instruments and interview protocols are included in the application package.

5. **Privacy and Confidentiality:**

- A. **How Privacy and Confidentiality will be Ensured:** A limited number of staff will handle confidential information, and those with access to confidential information have been trained in the importance of ensuring privacy and confidentiality. These trained staff will gather data and such data will be collected only with the informed consent of participants and will either be anonymous or coded with research identification numbers.
- B. **Description of Data Collection:** Data collection instruments will be used only for the purpose of collecting qualitative and quantitative information specific to the research that is aiming to improve services for juvenile participants. Data gathered for project will be stored separately from other NMHA data in a secured location at NMHA. This information will only be accessible to a limited number of personnel. The identity of participants will be kept private through the use of a coding system on records as well as through the limitation of access to records.

6. **Adequate Consent Procedures:**

- A. **Information Given to Participants:** Individuals will be invited to be interviewed and provide evaluation information and informed that their participation in such a process is entirely voluntary. They will be advised that they have the right to leave the project at any time. They will be informed that there are no anticipated risks with participation in the project, and NMHA will protect them from any unforeseen risks.
- B. **Consent for Special Populations:** It is anticipated that evaluation data will be collected from minors, so the consent of participant's guardians will be required in addition to the consent of the participant. Special procedures will be developed (if needed) to obtain evaluation data from individuals with low literacy or from those for whom English is not their first language.
- C. **Informed Consent:** Procedures for obtaining consent for participation in the evaluation component of this project are discussed in section 6a above.

7. **Risk/Benefit Discussion:**

- A. **Reasonable Risks vs. Benefits:** Risks to participants in the proposed project are negligible, and the benefits provided are significant. Given the anonymous/confidential nature of the proposed evaluation activities, participants will incur no risks and have an opportunity to contribute to the state of knowledge regarding best practices for juveniles in detention, particularly those with mental illnesses, mental disorders, and substance abuse problems. Participants will also receive the long-term benefits of highlighting their situation in the system and gaining more appropriate services and treatment for their individual case.

**NMHA PARENT & YOUTH CONSENT FORMS
ALTERNATIVES TO DETENTION PROJECT CONSENT FOR
DISCLOSURE OF CONFIDENTIAL INFORMATION
YOUTH FORM**

We would like to invite you to take part in a study we are doing. We are asking you because we think your experience with the juvenile court would be helpful for us to learn about so we can try to help other kids like you who might have similar problems and who also end up in juvenile court.

In this study we will learn more about you by conducting an interview with you. This interview will take approximately one hour of your time.

This information will be used to improve treatments and services for youth—like you—who are in detention and who have mental health and / or substance abuse problems.

This information will be kept confidential. Your parents will also be asked to give their permission for you to take part in this study. You should talk this over with your parents before you decide whether or not to participate.

You do not have to be in this study if you do not want to. If you decide to participate in the study, you can stop at any time. If you have any questions at any time, please ask one of the researchers.

By signing this form, you are giving consent to the Juvenile Justice Commission to provide the National Mental Health Association with your name and your parent's name.

IF YOU SIGN THIS FORM IT MEANS THAT YOU HAVE DECIDED TO PARTICIPATE AND HAVE READ EVERYTHING THAT IS ON THIS FORM. YOU AND YOUR PARENTS WILL BE GIVEN A COPY OF THIS FORM TO KEEP.

Participant Signature

Date

Parent/Guardian Signature

Date

ALTERNATIVES TO DETENTION PROJECT CONSENT FOR DISCLOSURE OF CONFIDENTIAL INFORMATION PARENT FORM

You are invited to participate and allow your child to participate in this research study. The following information is being given to you to help you to decide whether or not to participate and to allow your child to participate. If you have any questions please ask because we want to make sure you have all the information you need to make this important decision.

You and your child were selected to participate in this study because your child has a mental health and / or substance abuse problem and is confined in the juvenile justice system for a non-violent offense.

The purpose of this study is to find out if youth with mental health needs that end up in juvenile correctional facilities could have been better served through other types of services in their neighborhood or community. The study would like to hear from youth and their families what earlier indications of mental health issues there may have been, the efforts that may have been made to access appropriate mental health services, and the barriers that were encountered. Interviewing you and your child will achieve this, to find out what their mental health treatment needs are and what their history is.

This study will take approximately one hour of your time and your child's time. There are no known risks associated with this research.

Any information we get during this study that could identify your child will be kept strictly confidential. The information obtained in this study may be published in scientific journals or presented at scientific meetings, but your child's identity will be kept strictly confidential. By signing this form, you are giving consent to the Juvenile Justice Commission to provide the National Mental Health Association with your name and the name of your child.

IF YOU SIGN THIS FORM IT MEANS THAT YOU HAVE DECIDED TO PARTICIPATE AND HAVE AGREED TO LET YOUR CHILD PARTICIPATE. IT ALSO MEANS THAT YOU HAVE READ EVERYTHING THAT IS ON THIS FORM. YOU WILL BE GIVEN A COPY OF THIS FORM TO KEEP.

Parent's Initials _____

CAMPAIGN FOR YOUTH JUSTICE INTERVIEW PROJECT DESCRIPTION

This project serves to document the experience of current and formerly incarcerated youth in the adult criminal justice system. The purpose of interviewing current and formerly incarcerated youth in the adult criminal justice system, their parents and families is:

- To document experiences of youth in the adult criminal justice system;
- To establish a connection with these youth and their families;
- To engage, involve and empower youth, parents and families in the policy process;
- To illustrate concretely to policymakers, the public and the media how state policies to try and sentence youth directly impact youth, their parents and families.

CONFIDENTIALITY AND JUVENILE PARTICIPANT PROTECTION (SPP)

1. Protection of Clients and Staff from Potential Risk

- A. Foreseeable Risks:** There are no foreseeable physical, medical, psychological, social, legal or other risks anticipated as outcomes of participation in this initiative.
- B. Risks due to Participation in the Project or Evaluation:** There are no foreseeable risks associated with participation in the project. The information gathered in interviews will only be accessible to those professionals who are involved in the project and are trained in appropriate confidentiality practices. This data will only be used as anonymous research to gain an understanding of youth experience in the adult criminal justice system. Information will be used to assist advocates in informing policymakers about the direct impacts of trying and sentencing youth in the adult criminal justice system.
- C. Minimization of Potential Confidentiality and Other Risks:** Risks to the confidentiality of evaluation information will be minimized by allowing access to it only to authorized professionals involved in this project, utilizing anonymous survey instruments whenever possible and by creating separate evaluation datasets containing research identification numbers.
- D. Plans to Provide Help:** It is not anticipated that any adverse effects will result from the project evaluation activities, but should the need arise, referrals will be made to appropriate services in a timely manner.

2. Fair Selection of Participants

- A. **Population:** This initiative is intended to serve youth tried and sentenced in the adult criminal justice system and residing in adult jails and/or adult correctional facilities.
- B. **Reasons for Using Special Types of Participants:** There will be no “special” types of participants involved in this interview project.
- C. **Reasons for Including or Excluding Participants:** Participants will include those listed under A. Additionally, formerly incarcerated youth and adults will be interviewed in this project as well.
- D. **Recruitment and Selection of Participants:** Participants will include those listed in A. Specifically, participants will be recruited based on their status as current or formerly incarcerated youth. Participants will self select their participation in this project and will be interviewed only if they have given their written consent.

3. Absence of Coercion

- A. **Voluntary Participation:** Participation in all activities will be voluntary, including participation in any interview activities. This voluntary participation will be conveyed to all participants, their parents/and or guardians.
- B. **Payment for Participation:** No one will be paid or awarded gifts for their participation in any activities.

4. Data Collection

- A. **Specimens:** No bodily specimens will be used as part of data collection procedures.
- B. **Data Collection Instruments/Interview Protocols:** Copies of all presently available data collection instruments and interview protocols are included in the interview guide.

5. Privacy and Confidentiality

- A. **How Privacy and Confidentiality will be ensured:** A limited number of individuals will handle confidential information, and those with access to confidential information have been trained in the importance of ensuring privacy and confidentiality. These interviewers will gather data and such data will be collected only with the informed consent of participants and will either be anonymous or coded with research identification numbers. Interviewers will be required to sign a consent form included in this interview guide.

B. Description of Data Collection: Data collection instruments will be used only for the purpose of collecting qualitative data specific to the research that is geared toward increasing an understanding of youth experience in the adult criminal justice system. The identity of participants will be kept private through the use of a coding system on records as well as through the limitation of access to records.

6. Adequate Consent Procedures

A. Information Given to Participants: Individuals will be invited to be interviewed and provide evaluation information and informed that their participation in such a process is entirely voluntary. They will be advised that they have the right to leave the project at any time. They will be informed that there are no anticipated risks with participation in the project.

B. Consent for Special Populations: It is anticipated that evaluation data will be collected from youth under age 18, so the consent of participant's parents and guardians will also be sought in addition to the consent of the participant.

C. Informed Consent: Procedures for obtaining consent for participation in the evaluation component of this project are discussed in section 6a above.

7. Risk/Benefit Discussion

A. Reasonable Risks vs. Benefits: Risks to participants in the proposed project are negligible, and the benefits provided are significant. Given the anonymous/confidential nature of the proposed evaluation activities, participants will incur no risks and have an opportunity to contribute to the state of knowledge regarding the impact of trying and sentencing youth in the adult criminal justice system.