

CAMPAIGN FOR
YOUTH JUSTICE



BECAUSE THE CONSEQUENCES AREN'T MINOR

May 2008 Newsletter

The Campaign for Youth Justice is a national organization dedicated to ending the practice of trying, sentencing, and incarcerating youth under the age of 18 in the adult criminal justice system.

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FROM THE HILL



Juvenile Justice and Delinquency Prevention Act Update

The Senate Judiciary Committee has shown signs of moving forward on reauthorizing the Juvenile Justice and Delinquency Prevention Act (JJDP A). They have begun discussions with advocates regarding a potential bill to be introduced during this Congressional session. If introduced, the bill will likely not make it through the legislative process this year, but may be used as a starting point for next year's bill.

Currently, three areas of concern for the reauthorization include removing youth from adult jails and prisons, expanding sight and sound separation to youth charged as adults who are housed in adult facilities pre-trial, and expanding the deinstitutionalization of status offenders by eliminating the Valid Court Order exception to this core protection. The Act 4 Juvenile Justice (Act4JJ) Campaign released a set of recommendations on these issues for Congress to consider during JJDP A reauthorization. The recommendations, along with background information to support them, can be found on the Act4JJ's website at http://www.act4jj.org/media/documents//document_44.pdf.

Action Item: The Act4JJ Campaign is currently collecting signatures to support these recommendations from organizations nationwide. We encourage you to sign on to the Act4JJ JJDP A recommendations. To sign on to these recommendations, please e-mail info@juvjustice.org. We also encourage you to reach out to your Senator and express your support for JJDP A reauthorization and the priorities listed above. Outreach to key offices on the Senate Judiciary Committee Senators Leahy (D-VT), Kohl (D-WI), Durbin (D-IL), Kennedy (D-MA), and Specter (R-PA) is particularly critical at this time.

For more information on both the JJDP A and Act4JJ, visit: www.act4jj.org.

ACROSS THE COUNTRY

California's Runner Initiative: Overview and Opposition

The Runner Initiative, a California ballot initiative also called the "Safe Neighborhoods Act," was introduced in April by Senator George Runner (R-Antelope Valley), Assemblywoman Sharon Runner (R-Lancaster), Mike Reynolds, author of California's Three Strikes sentencing law, and San Bernardino County Supervisor Gary Ovitt. The Runner Initiative includes many traditional "tough on crime" approaches to addressing crime, including increasing the length of penalties for certain crimes, the establishment of a statewide gang registry database, and making individuals convicted of certain crimes ineligible for public housing. Unfortunately, this approach emphasizes punishment and incarceration over prevention and early intervention efforts that could be utilized to address the underlying causes of crimes. The text of the initiative can be found [here](#).

In response to the initiative, on May 16th, Los Angeles Councilmembers Tony Cardenas

and Bernard Parks announced their aggressive opposition to the Runner Initiative. A press release of their announcement is available [here](#).

Additionally, over 50 California individuals and organizations have formed a Coalition to Defeat George Runner's Initiative. The Coalition includes elected officials, influential individuals, city governments, labor unions, and interfaith, environmental, civil rights, and other organizations. A complete listing of Coalition members is available at http://www.ellabakercenter.org/?p=runner_opposed. More information on the Coalition and action items to help defeat the Runner Initiative can be found at http://www.ellabakercenter.org/?p=defeat_runner.

The W. Haywood Burns Institute, a California-based national organization working to reduce the overrepresentation of youth of color in the juvenile justice system, has also written an analysis of this initiative. The analysis describes the implications associated with each line of the initiative's language and includes fiscal impacts, cost effective arguments against the initiative, a description of implications on youth of color, and a listing of the problems associated with the creation of a gang database. A listing of the initiative's proponents and opponents is also included. The analysis can be found at http://www.ellabakercenter.org/downloads/runner/runner_summary.pdf.

Colorado Governor Vetoes Juvenile Justice Reform Legislation

On May 23, 2008, Colorado Governor Bill Ritter vetoed Colorado House Bill 1208 which would have made substantial reforms to Colorado law which currently allows youth aged 14 to 17 to be charged by a prosecutor as adults for certain offenses. Juvenile justice advocates in Colorado had been rallying behind this bill which created a new form of judicial discretion that would have allowed judges to review decisions to charge youth as adults. In making determinations regarding returning youth to the juvenile court system, judges would consider 14 factors including the seriousness of the offense and the youth's prior record and maturity. The bill also required that youth charged with adult crimes be held in juvenile facilities unless a court found the juvenile to be 1) a danger to himself, herself, or the community, 2) likely to fail to appear for a pending hearing, and 3) a substantial probable danger to other youth in the juvenile facility. The full text of the bill is available at [here](#).

Prior to the Governor's veto, the bill had been passed by the Colorado House by a 34-30 vote and by a 18-16 vote in the Colorado Senate. To find how a particular Representative or Senator voted, please visit <http://www.leg.state.co.us>.

In his veto statement of H.B. 1208, the Governor stated the bill "would alter a system that has not been shown to be defective" and found "no reason presented that warrants the change in the law suggested by HB 1208." Governor Ritter's full veto statement can be found [here](#). Unfortunately, the Governor's veto will likely not be overridden due to the slim vote margins in both the Colorado House and Senate. Advocates will likely push

similar legislation during the next session, which will take place starting January of 2009.

RESEARCH AND POLICY

Coming Soon: Native Youth Policy Brief

A new policy brief, "A Tangled Web of Justice: American Indian and Alaska Native Youth in Federal, State, and Tribal Justice Systems" will be released on June 3rd by the Campaign for Youth Justice at the 2008 National Congress of American Indians Mid-Year Conference. This brief is the first in the new Race and Ethnicity series of briefs examining the disproportionate impact that trying youth as adults has on communities of color throughout the US. The Native youth policy brief is intended to serve as a resource for tribes, juvenile justice professionals, and other stakeholders interested in improving outcomes for Native youth by presenting the current state of knowledge on Native youth and their involvement in justice systems across the country. The brief includes: 1) statistics on demographics, risk factors, and juvenile delinquency for Native communities; 2) an overview of tribal, federal, and state justice systems with a brief discussion of some of the issues Native youth face in each system; 3) examples of promising solutions that address the needs of Native youth; and 4) recommendations for tribal, state, and federal policymakers and juvenile justice professionals. The brief will be available June 3rd at http://www.campaignforyouthjustice.org/key_research.html.

This brief follows an earlier piece authored by the National Council on Crime and Delinquency (NCCD) entitled "Native Youth and the Juvenile Justice System" which is available online at http://www.nccd-crc.org/nccd/pubs/2008_Focus_NativeAmerican.pdf.

MEDIA WRAP

Vicky Gunderson of Wisconsin Named National Mother of Distinction

The Campaign for Youth Justice (CFYJ) and the National Juvenile Justice Network (NJJN) named Vicky Gunderson of Onalaska, Wisconsin the recipient of this year's National Mother of Distinction Award. This honor is presented each Mother's Day to one or more mothers who have made an outstanding contribution toward reforming the juvenile justice system. Gunderson was nominated for the honor by the Wisconsin Council on Children and Families (WCCF).

WCCF Juvenile Justice Policy Analyst Wendy Henderson, who presented Gunderson with the award, said, "Parents like Vicky help remind us that this issue is not just some abstract debate. Real families are being hurt by the current policy." Currently, in Wisconsin, all 17-year-olds are treated as adults for any crime.

Gunderson's story was known across her town. At the age of 17, her son Kirk was incarcerated as an adult in the La Crosse County jail. After nearly seven months there, he took his own life. Since losing her son, Gunderson has become a leading advocate in Wisconsin for keeping youth out of adult jails and prisons. She has worked closely with

WCCF and other interested individuals and organizations to promote legislation that would return 17-year-olds in the state to the juvenile justice system. She has spoken at numerous conferences and other public events and has written guest columns appearing in several newspapers. Her words and those of her late son were featured in the Campaign's November 2007 Jailing Juveniles report which is available online at [http://www.campaignforyouthjustice.org/Downloads/NationalReportsArticles/CFYJ-Jailing Juveniles Report 2007-11-15.pdf](http://www.campaignforyouthjustice.org/Downloads/NationalReportsArticles/CFYJ-Jailing%20Juveniles%20Report%202007-11-15.pdf).

The presentation of this National Mother of Distinction award drew media attention from local newspapers, television, and radio. The La Crosse Tribune and Holmen Courier both included briefs in their papers and television stations WXOW-TV and WKBT-TV ran stories. WIZM Newstalk 1410 AM and Wisconsin Public Radio both aired stories. In addition, Youth Today, a nationally distributed newspaper for youth service professionals, will have a story in their upcoming issue. To access some of the news coverage, please visit CFYJ's News page at <http://campaignforyouthjustice.org/news.html>.

Gunderson received a plaque, a \$100 gift certificate from Sue Kolve's Salon & Day Spa, and a one-night stay on the Plaza Club floor at the Radisson Hotel La Crosse. Thanks to Wendy Henderson and WCCF for their work in organizing this event.

VOICES



The incarceration of children deeply affects parents. This month, in honor of Mother's Day, we feature the voices of moms as they tell of their experience of having a child in the adult system.

Vicky, mother of Kirk, a teen who committed suicide in an adult jail, writes:

"As a Mom, the greatest miracle is bringing life into the world. I still remember all the details, the anticipation, and the excitement of the birth of [my] first son on the 9th of June 1988...I was the helicopter parent, hovering over him daily...I never would have imagined...I would find myself visiting my son in the county jail, accompanied by my younger son, 9 days after his 17th birthday. There is a sense of guilt and failure for not noticing the prescription drug addiction, nor having Kirk feel comfortable to come to us: we were [supposed to be] his protectors...[However], Kirk assured us within his journal writings [that] his choices and decisions were his own. We were not at fault. [Yet,] I still ask myself what, if anything I could have done different. My answer is nothing...Kirk was the person we taught and guided him to be: independent, loving, faithful, full of life, and willing to take a risk. His risk taking took his life, as he died in the LaCrosse County Jail days before his plea agreement on December 27, 2005...taking his own life. I will not live one day without [Kirk's] fabulous smile and gorgeous blue eyes in my heart. God blessed me with [Kirk's] presence in my life...for 17 years!"

Cecile, mother of a teen in an adult prison, writes:

"My son is in prison and there is nothing that I can do about it...He is serving three years which isn't long unless you are a little boy in a young man's body and there is not person who cares what happens to you until Sunday when Mom can come...[My son] is not a bad kid and I hope that I'm not a bad mother but that doesn't change things. It doesn't help. When he was first sent to an adult detention center he was only sixteen and the fact that there was NOTHING that I could do to help him was unbearable. [An attorney once asked me,] "What do you think is your responsibility to your son?" I replied, "To love and protect him." He told me then that I couldn't protect him-all I could do [was] love him. That's where I am today, loving my sweet, cuddly, little boy with a glass partition between us, helpless to protect him from abuse...I worry that he is hurt and they aren't going to tell me because he is an "adult." I'm afraid that he is not taking his medication and may attempt suicide again. Helplessness, fear and pain are what I'm feeling but words cannot express the depth of this despair..."

ON THE CALENDAR

June 12th Congressional Briefing on the *2008 KIDS COUNT Data Book* Essay: "A Road Map for Juvenile Justice Reform"

To highlight the release of the *2008 KIDS COUNT Data Book* essay, "A Road Map for Juvenile Justice Reform," the Annie E. Casey Foundation is hosting a congressional briefing on Capitol Hill on Thursday, June 12, 2008, from 9:00 am - 10:30 am at the Cannon Caucus Room in the Cannon House Office Building at 1st and Independence Avenues, SE, Washington, DC 20515. The briefing will provide an overview of the essay's recommendations and will include a panel of juvenile justice experts from around the country to discuss key issues in the field and recommendations for reform.

The panel of experts, moderated by Angela Arboleda, Director of Civil Rights and Criminal Justice Policy for the National Council of La Raza, includes: Reginald Dwayne Betts, formerly incarcerated at age 16, Poet; Judge Jerrauld Jones, Chief Judge of the Norfolk Juvenile and Domestic Relations District Court; Vincent Schiraldi, Director of the District of Columbia's Department of Youth Rehabilitation Services; Grace Bauer, Regional Community Organizer and Parent at Friends and Families of Louisiana's Incarcerated Children; and Dr. Juan Sanchez, Executive Director/CEO of Southwest Key Programs. All are welcome to attend this briefing which is free and open to the public. For more information on this event, please contact Monee Sconyers at msconyers@cfyj.org or 202.558.3580 ext. 19.

Coming Soon: *2008 KIDS COUNT Data Book* Essay

The Annie E. Casey Foundation's 19th annual *KIDS COUNT Data Book* essay, "A Road Map for Juvenile Justice Reform," will be released on June 12, 2008. The essay looks at the nearly 100,000 children confined to juvenile facilities on any given night in the United States and what can be done to reduce unnecessary and inappropriate detention and incarceration and increase opportunities for positive youth development and community safety. The

essay is released in conjunction with the *2008 KIDS COUNT Data Book* which gives national and state-by-state profiles of the well-being of America's children through rankings on 10 key measures. The *2008 KIDS COUNT Data Book* and "A Road Map for Juvenile Justice Reform" essay will be available beginning June 12, 2008 at www.kidscount.org.

National organizations are encouraged to participate in the dissemination of this important information. If your organization is interested in being a National Outreach Partner through circulating information about the KIDS COUNT materials through listservs, newsletters, or website postings, please contact Ian Augarten at 202.558.3580 ext. 15 or iaugarten@cfyj.org.

SAVE THE DATE! 5th Annual Free Minds Poetry Reading

On July 15, 2008, Free Minds Book Club and Writing Workshop will host "Hear Us Out 2008", its 5th annual poetry reading. Free Minds, a Washington DC nonprofit, mentors young inmates incarcerated as adults in the DC Jail through books and creative writing and connects them to support services throughout incarceration and reentry. The free poetry reading, held on July 15th at 7:00 pm at the GALA Theatre at Tivoli Square in Washington DC, will feature the writings of DC Jail's young poets who are back home in the community. Pass the word on! All are invited! For more information, please visit <http://www.freemindsbookclub.org/events.html>.

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