



# Jailing Juveniles

## **National** *Take Action!* **Packet**

November 15, 2007  
Campaign for Youth Justice

CAMPAIGN FOR  
**YOUTH JUSTICE**  
BECAUSE THE CONSEQUENCES AREN'T MINOR

November 15, 2007

Dear Youth Advocate,

On behalf of the Campaign for Youth Justice, we are pleased to provide you with the enclosed "Jailing Juveniles: National *Take Action!* Packet."

This packet is intended to provide you with the background information and the tools to take action on national policy. The packet includes information on:

- Facts on youth in adult jails
- What you can do
- Sample materials

For additional information, materials or contacts, please visit our website and [www.campaignforyouthjustice.org](http://www.campaignforyouthjustice.org) or contact us at (202) 558-3580.

We look forward to working with you on this important campaign. Together we can work to reduce the number of youth in the adult criminal justice system.

Sincerely,



Liz Ryan  
President & CEO  
*Campaign for Youth Justice*

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## Key Facts: Jailing Juveniles

### *The Dangers of Incarcerating Youth in Adult Jails in America*

In a new report, “Jailing Juveniles: The Dangers of Incarcerating Youth in Adult Jails in America,” released on November 15, 2007 by the Campaign for Youth Justice, key findings show that thousands of youth are in adult jails on any given day who are not covered by federal protections originally designed to keep youth out of adult jails.

#### KEY FINDINGS:

- Every day in America, an average of 7,500 youth are incarcerated in adult jails.
- The number of youth who are placed in adult jails every year *could be even higher* – tens of thousands of young people according to some researchers – to account for the ‘turnover’ in adult jails.
- As many as one-half of these youth will be sent back to the juvenile justice system or not be convicted. Yet, most of these youth will have spent *at least one month* in an adult jail and one in five of these youth will have spent *over six months* in an adult jail.
- It is extremely difficult to keep children safe in adult jails. When youth are placed with adults in adult jails, youth are at risk of physical and sexual assault. According to BJS, 21% and 13% of all substantiated victims of inmate-on-inmate sexual violence in jails in 2005 and 2006 respectively, were youth under the age of 18 (surprisingly high since only 1% of jail inmates are juveniles).
- Some jailers will separate children from adults but this is not adequate either. While separating children from adults in adult jails will reduce contact with adults that could result in physical or emotional harm to children, children are then often placed in isolation. Youth are frequently locked down 23 hours a day in small cells with no natural light. These conditions can cause anxiety, paranoia, and exacerbate existing mental disorders and put youth at risk of suicide. Youth have the highest suicide rates of all inmates in jails. Youth are 36 times more likely to commit suicide in an adult jail than in a juvenile detention facility, and 19 times more likely to commit suicide in an adult jail than youth in the general population.
- Jails are simply not equipped to protect youth from the dangers of adult jails. Nor do jails have the capacity to provide necessary educational or other services.
- This policy does not increase public safety or reduce crime. New scientific evidence shows that placing youth in the adult criminal justice system increases their likelihood of re-offending. Physicians and criminologists agree that children who are prosecuted in adult court are more likely to be re-arrested more often and more quickly for serious offenses.

- It's now time to update the federal and state laws to reflect this new research.
- Federal law put into place over three decades ago was actually designed to address this problem. The original intent of the federal law, the Juvenile Justice & Delinquency Prevention Act (JJDP A) was to remove youth from adult jails altogether.
- There is a loophole – the law doesn't apply to youth who are not under the jurisdiction of the juvenile court.
- Congress could easily fix this problem. Congress could extend the protections of the Juvenile Justice & Delinquency Prevention Act (JJDP A) that disallow the placement of children in adult jails to protect all children, no matter what court they are in.

### **MAJOR RECOMMENDATIONS:**

Federal, state, and county policymakers can take concrete steps to increase public safety and at the same time protect youth in the justice system.

As Congress is scheduled to reauthorize the Juvenile Justice and Delinquency Prevention Act (JJDP A) in 2007, Congressional action could include the following:

- Update the JJDP A's "Jail Removal" core protection for all children, regardless of which court;
- Provide federal technical assistance to states and counties;
- Initiate and provide federal funding for new data collection efforts at the federal, state and county level;
- Launch and fund new research on youth in the adult criminal justice system.

State and county policymakers could take the following actions:

- Update state statutes to reflect the JJDP A's "Jail Removal" core protection for all children;
- Promote placement of youth in juvenile justice facilities as an alternative to adult jails for youth charged as adults who may need to be detained;
- Initiate "model approaches" to removing youth from jails;
- Initiate new data collection efforts and research on youth in the adult criminal justice system.

**To obtain a copy of the full report, "Jailing Juveniles" visit:**  
[http://www.campaignforyouthjustice.org/national\\_reports.html](http://www.campaignforyouthjustice.org/national_reports.html)

## What You Can Do To Take Action

- Sign the organizational sign-on letter (*deadline: January 8, 2008*)
- Share the “Jailing Juveniles” fact sheet and report with your networks and encourage them to contact their congressional delegations
- Promote the findings of “Jailing Juveniles” in your organization’s newsletter, on your website, and at any upcoming national conference
- Consider holding joint events with the Campaign for Youth Justice including press conferences, educational forums and advocacy days
- Join the Campaign for Youth Justice and the Act 4 Juvenile Justice campaign

## ORGANIZATION SIGN-ON LETTER

The organizational sign-on letter will go to Senate Majority Leader Reid and to U.S. House of Representatives Speaker Pelosi. To have your organization sign-on, please email or call Julie Kudrna at [jkudrna@campaign4youthjustice.org](mailto:jkudrna@campaign4youthjustice.org), 202-558-3580 x.10.

**The deadline for sign-on is 5:00 pm on Monday, January 8<sup>th</sup>, 2008.**

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Dear Majority Leader Reid / Speaker Pelosi,

On behalf of the undersigned organizations, we are writing to urge you to protect children in the justice system by ending the placement of children in adult jails as part of the reauthorization of the Juvenile Justice Delinquency and Prevention Act (JJDP A).

The Juvenile Justice and Delinquency Prevention Act (JJDP A) has protected children in the justice system for more than three decades. The original intent of the JJDP A was to protect children from the dangers of adult jails by separating them from adults and ultimately removing them from adult jails altogether. Under the “Jail Removal” core protection, youth cannot be detained in adult jails except in limited exceptions and in those narrow circumstances the “Sight and Sound Separation” core protection prohibits contact with adults.

On average, 7,500 youth are incarcerated in an adult jail every day in America. It is extremely difficult to keep children safe in adult jails. When youth are placed with adults in adult jails, youth are at risk of physical and sexual assault. According to BJS, 21% and 13% of all substantiated victims of inmate-on-inmate sexual violence in jails in 2005 and 2006 respectively, were youth under the age of 18, even though they make up only 1% of all jail inmates.

Separation of children from adults is not adequate either. While separating children from adults in adult jails will reduce contact with adults that could result in physical or emotional harm to children, children are then often placed in isolation and are at risk of suicide. Youth have the highest suicide rates of all inmates in jails and youth are 36 times more likely to commit suicide in an adult jail than in a juvenile detention facility, and 19 times more likely to commit suicide in an adult jail than youth in the general population.

Despite these long-standing federal protections and documented dangers of placing children in adult jails, tens of thousands of youth incarcerated every year in adult jails are not protected by the JJDP A’s protections.

We urge you to update the JJDP A to reflect the original intent of the law: to remove youth from adult jails altogether. The JJDP A should extend the protections to all children, no matter what court they are in – juvenile or adult.

Thank you for your consideration.

Sincerely,

**SAMPLE INDIVIDUAL LETTER TO CONGRESS**

Here is a sample letter to fax to your congressional delegation. Be sure to write in the Member of Congress' name on the address and sign and print your name and address to ensure a response.

-----Cut here before faxing-----

Dear Senator / Representative:

I am writing to urge you to protect children in the justice system by ending the placement of children in adult jails as part of the reauthorization of the Juvenile Justice Delinquency and Prevention Act (JJDP A).

The Juvenile Justice and Delinquency Prevention Act (JJDP A) has protected children in the justice system for more than three decades. The original intent of the JJDP A was to protect children from the dangers of adult jails by separating them from adults and ultimately removing them from adult jails altogether. Under the "Jail Removal" core protection, youth cannot be detained in adult jails except in limited exceptions and in those narrow circumstances the "Sight and Sound Separation" core protection prohibits contact with adults.

On average, 7,500 youth are incarcerated in an adult jail every day in America. It is extremely difficult to keep children safe in adult jails. When youth are placed with adults in adult jails, youth are at risk of physical and sexual assault. Separation of children from adults is not adequate either. While separating children from adults in adult jails will reduce contact with adults that could result in physical or emotional harm to children, children are then often placed in isolation and are at risk of suicide.

Despite these long-standing federal protections and documented dangers of placing children in adult jails, tens of thousands of youth incarcerated every year in adult jails are not protected by the JJDP A's protections.

I am counting on you to work with your colleagues in Congress to update the JJDP A to reflect the original intent of the law: to remove youth from adult jails altogether. The JJDP A should extend the protections to all children, no matter what court they are in – juvenile or adult.

Your consideration is greatly appreciated. I would like a written response detailing what specific steps you will be taking to protect children from the dangers of adult jails.

Thank you.

Sincerely,

*Signature* \_\_\_\_\_

*Printed Name* \_\_\_\_\_

*Address* \_\_\_\_\_

*Phone* \_\_\_\_\_



## Outreach Email

A new report, “Jailing Juveniles: The Dangers of Incarcerating Youth in Adult Jails in America,” released on November 15, 2007 by the Campaign for Youth Justice provides a summary of the risks that youth face when incarcerated in adult jails, facts and figures about how many youth are incarcerated in jails nationwide, and a review of the limited federal and state laws protecting youth in jails. Key findings show that every day in America, an average of 7,500 youth are incarcerated in adult jails and tens of thousands of youth every year are not covered by federal protections originally designed to protect children from the dangers of adult jails. Congress could easily fix this problem by extending the protections of the Juvenile Justice & Delinquency Prevention Act (JJDP A) that disallow the placement of children in adult jails to protect all children, no matter what court they are in – juvenile or adult. To obtain a copy of the report and find out what you can do to take action, visit: [http://www.campaignforyouthjustice.org/national\\_reports.html](http://www.campaignforyouthjustice.org/national_reports.html).

## Sample Newsletter Article

A new report, “Jailing Juveniles: The Dangers of Incarcerating Youth in Adult Jails in America,” released by the Campaign for Youth Justice provides a summary of the risks that youth face when incarcerated in adult jails, facts and figures about how many youth are incarcerated in jails nationwide, and a review of the limited federal and state laws protecting youth in jails.

Every day in America, an average of 7,500 youth are incarcerated in adult jails. The Juvenile Justice and Delinquency Prevention Act (JJDP A) has protected children in the justice system for more than three decades. The original intent of the JJDP A was to protect children from the dangers of adult jails by separating them from adults and ultimately removing them from adult jails altogether. Under the “Jail Removal” core protection, youth cannot be detained in adult jails except in limited exceptions and in those narrow circumstances the “Sight and Sound Separation” core protection prohibits contact with adults. However these protections do not apply to youth being tried in the adult criminal system.

The report “Jailing Juveniles” shows how difficult is it to keep children safe in adult jails. In fact, youth have the highest suicide rates of all inmates in jails. Youth are 36 times more likely to commit suicide in an adult jail than in a juvenile detention facility, and 19 times more likely to commit suicide in an adult jail than youth in the general population. Youth in adult jails are also at great risk of physical and sexual assault. Findings in the report document that 21% and 13% of all substantiated victims of inmate-on-inmate sexual violence in jails in 2005 and 2006 respectively, were youth under the age of 18 (surprisingly high since only 1% of jail inmates are juveniles).

Despite the long-standing federal protections and documented dangers of placing children in adult jails, tens of thousands of youth incarcerated every year in adult jails are not protected by the JJDP A’s protections. Congress could easily fix this problem by extending the protections of the Juvenile Justice & Delinquency Prevention Act (JJDP A) that disallow the placement of children in adult jails to protect all children, no matter what court they are in – juvenile or adult.

To obtain a copy of the report, “Jailing Juveniles” and to find out what you can do to take action, visit: [http://www.campaignforyouthjustice.org/national\\_reports.html](http://www.campaignforyouthjustice.org/national_reports.html).

# Sample Press Release

For immediate release  
[insert date]

Contact: [insert contact name]  
[insert organization name]  
[insert phone #] (office)  
[insert phone #] (cell)

## Groups Call for Federal Protections, Removal of Children in Jail

(insert city, state) – Despite a federal law designed to keep youth out of adult jails that has been on the books for over three decades, there are an average of 7,500 youth in adult jails every day. Local groups are calling on [insert state]’s congressional delegation to ensure that federal protections apply to all youth, no matter what court they are in – juvenile or adult.

According to “Jailing Juveniles: The Dangers of Incarcerating Youth in Adult Jails in America” an average day 7,500 young people are held in adult jails in the United States, and the yearly figure may be ten to twenty times higher. The report presents the latest research on the characteristics of youth incarcerated in U.S. jails and the risks they face, including sexual assault, suicide and likelihood of re-offending.

“The current federal policy does not protect all children from the dangers of adult jails,” says [insert name, title and organization]. “As a result, thousands of children nationwide are still at risk of assault, abuse and suicide every day in adult jails.”

The report shows that when youth are placed with adults in adult jails, they are at risk of physical and sexual assault. In 2005, 21% of all substantiated victims of inmate-on-inmate sexual violence were under eighteen years old, even though youth make up less than 1% of the total jail population. Additionally, youth have the highest suicide rates of all inmates in jails. They are 36 times more likely to commit suicide in an adult jail than in a juvenile detention facility, and 19 times more likely to commit suicide in an adult jail than youth in the general population.

“We are counting on our congressional delegation to fix this ‘loophole’ in the federal law,” says [insert name]. “The law has worked for more than thirty years to protect youth from the dangers of adult jails and it should be updated to ensure that all children are protected.”

Federal law put into place over three decades ago was actually designed to address this problem. The original intent of the federal law, the Juvenile Justice & Delinquency Prevention Act (JJDP A) was to remove youth from adult jails altogether. The law doesn’t apply to youth who are not under the jurisdiction of the juvenile court.

[insert paragraph with state or local data such as # of youth in adult jail and current state law]

For a copy of the report, visit: [http://www.campaignforyouthjustice.org/national\\_reports.html](http://www.campaignforyouthjustice.org/national_reports.html).  
For additional information on the JJDP A, visit: [www.act4jj.org](http://www.act4jj.org).

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[Insert paragraph about your organization’s mission and activities, contact name and website]

## **The Campaign for Youth Justice**

The Campaign for Youth Justice (CFYJ) 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. For more information, visit: [www.campaignforyouthjustice.org](http://www.campaignforyouthjustice.org).

## **The Act 4 Juvenile Justice**

The Campaign for Youth Justice (CFYJ) and hundreds of organizations nationwide have joined together to launch the ACT 4 Juvenile Justice (ACT4JJ) campaign to reauthorize the Juvenile Justice and Delinquency Prevention Act (JJDPA). For more information, visit: [www.act4jj.org](http://www.act4jj.org).