

CAMPAIGN FOR

YOUTH JUSTICE

BECAUSE THE CONSEQUENCES AREN'T MINOR

April 2009 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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MOTHER'S DAY

April 30, 2009

Dear Advocate,

Mother's Day is just around the corner, Sunday, May 10, 2009! Celebrated in the United States since 1872, Mother's Day is a time when children and their families across the country show moms how much they mean to them, showering them with cards, gifts, flowers and affection.

Not all mothers, however, are able to celebrate Mother's Day with their children. For some moms, Mother's Day is just one more day that their children spend behind bars. Instead of spending the day with Mom, thousands of youth will be residing in adult jails and prisons. Instead of receiving flowers or presents, the mothers of these children will spend Mother's Day worrying about their children's safety and future. Will they be able to get an education while incarcerated? Will they be able to find a job once they are released? Many moms have worked tirelessly to change the way the justice system treats children. Their efforts may have gone unrecognized and unappreciated.

We hope you will join us in honoring the mothers in your life by making a donation to the Campaign for Youth Justice in their name. Your contribution will help us elevate the voices and expand the involvement of mothers and their children and families who are directly affected by punitive state transfer policies.

Please consider a \$50 donation to the Campaign, and we will send a Mother's Day card to your loved one! For donations of \$100 or more, we will send a CFYJ coffee mug.

Thank you for your consideration. Together, we can make this Mother's Day special. You can donate to the Campaign for Youth Justice at:
<http://www.campaign4youthjustice.org/donate.html>.

Sincerely,

Grace Bauer,
Mother of an incarcerated child

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ACROSS THE COUNTRY

Senator Harry Reid Hosts Youth Issues Summit in Las Vegas

On April 14th, 2009, at the University of Nevada Las Vegas campus, U.S. Senate Majority Leader Harry Reid hosted the Nevada Non-Profits Children's Summit on Child Welfare, Juvenile Justice, and Youth Homelessness.

The summit gave local and national organizations the opportunity to discuss issues with a focus on three populations that are among the most vulnerable and least visible in America. In attendance were representatives of the Annie E. Casey Foundation, The Office of

Juvenile Justice and Delinquency Prevention, and Fight Crime: Invest in Kids, who, along with CFYJ, were invited to present on media strategies and juvenile justice policy. Erin Davies, Legislative and Policy Strategist for CFYJ, served as the panelist for the juvenile justice breakout sessions and educated participants on current juvenile justice legislation and policies. The forums held during the breakout sessions allowed participants to generate ideas on collaborating to help meet one another's needs. Senator Reid invited summit participants to make recommendations to him as a follow-up to the successful event.

Raise the Age Bill Is Introduced in North Carolina

On March 26, North Carolina State Senator Eleanor Kinnaird introduced a bill that would raise the age of juvenile jurisdiction to age 18. The bill, SB1048, is entitled Juvenile Jurisdiction to Age 18 Years. On April 9, State Representative Alice Bordsen introduced a companion bill in the House that would also raise the age of juvenile jurisdiction to age 18 and establishes a task force to implement the Act. The bill, HB 1414, is entitled The Youth Accountability Act.

"The juvenile justice system has the infrastructure to provide appropriate discipline in the appropriate setting for youth; however, the state department will require adequate funding and ample time to ramp up services to take in older youth. Now is the time for North Carolina to recognize in law what it knows to be morally right-that minors are not adults and should not be treated as such," said Brandy Bynum, Director of Policy & Outreach, Action for Children North Carolina.

North Carolina is one of only three states that automatically try youth as adults for any crime at the age of 16. Connecticut passed a law to raise the age of majority to 18 in 2007; the law is currently in its implementation phase.

In an article about the history of attempts to raise the age in North Carolina, Tamar Birckhead, of the University of North Carolina, wrote, "According to empirical research, a less punitive approach to youth crime lowers recidivism rates and better protects public safety. Further, providing intensive probationary supervision and rehabilitation to young offenders, rather than incarcerating them with adults, is consistent with recent findings in the areas of brain development and adolescent psychology. Nonetheless, resistance to raising the age of juvenile court jurisdiction in North Carolina has been steadfast, with vocal opposition from law enforcement and prosecutors."

With mounting evidence that trying 16- and 17-year-olds as adults is ineffective for public safety and costly in the long run, advocates are hopeful that with renewed efforts by stakeholders, this year will be different.

Hear more from Tamar Birckhead on the Raise the Age campaign in North Carolina in the Juvenile Justice Matters interview at:

<http://www.blogtalkradio.com/jjmatters/2009/01/15/Interview-with-UNC-Law-Professor-Tamar-Birckhead-on-North-Carolina-juvenile-justice-reform>.

Learn more about advocacy work to raise the age in North Carolina at:
www.ncchild.org.

CFYJ Seeks Stories of Youth Prosecuted as Adults

CFYJ's Case Profiles Project is gathering stories of youth who have been tried, sentenced, or incarcerated as adults. We will use the stories to communicate to policymakers, the public, and the media the experiences, perspectives, and concerns of those who are impacted by this issue. CFYJ will also continue to highlight youth, parent, and family voices through reports, policy briefs, publications, newsletters, and the CFYJ website. If you know of someone directly affected by this issue, please refer him or her to our project.

Two versions of the Case Profiles Toolkit are available, one for youth and one for parents and family members. The toolkits include questions, writing tips, sample profiles, and consent forms. Download them at:

<http://www.campaignforyouthjustice.org/yourstory.html>.

Thank you for your participation in this project. To submit stories or for more information, please contact: kfigiel@cfyj.org

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FROM THE HILL



Webb Introduces Legislation to Examine Justice System

Report and Analysis by Grace Bauer

On March 26, 2009 Senator Jim Webb (D-VA) introduced a piece of federal legislation called The National Criminal Justice Commission Act of 2009. This legislation would create a federal commission "to look at every aspect of the criminal justice system with an eye toward reshaping the process from top to bottom." Senator Webb listed a few reasons why he believed it was time to change the broken, expensive and ineffective criminal justice system in the US, including:

- With only 5% of the world's population, our country now houses 25% of the world's reported prisoners.
- The number of incarcerated drug offenders has soared 1200% since 1980.

- Four times as many mentally ill people are in prisons than in mental health hospitals.
- Post-incarceration re-entry programs are haphazard and often nonexistent, undermining public safety and making it extremely difficult for ex-offenders to become full, contributing members of society.
- Mass incarceration of illegal drug users has not curtailed drug usage. The multi-billion dollar illegal drug industry remains intact.

The commission's duty will be to make recommendations for policy change. To view the legislation and the list of co-sponsors, go to:

<http://thomas.loc.gov/>.

You can also download the fact sheet on the legislation at:

<http://webb.senate.gov/email/criminaljusticereform.html>.

On April 9th, Senator Webb's staff held a briefing in Washington, DC, which was attended by representatives of 70 different organizations supporting the legislation. The Campaign for Youth Justice is hopeful that the Commission will consider all of the evidence against the practice of transferring youth to the adult justice system and make recommendations to change these practices and protect our children.

As the mother of a son incarcerated in one of Louisiana's many privately run prisons, I see this as the first intensive look at a horribly dysfunctional system that has put us in a public safety nightmare.

We now have a mountain of evidence that the old ways have been a complete failure if we are trying to improve public safety. Transparency is a critical piece of reforming systems and improving outcomes, but transparency can only happen when the people most affected are heard and given the power to change the processes that exist. It is past time for a hard look at the difficult discussions that need to be undertaken in regard to our criminal justice system.

At this time Senator Webb's staff is asking for individual and organizational letters of support and for co-sponsors for the bill. Please take the time to go to the websites mentioned above and read what is being proposed. It will be up to us, as families, folks that are incarcerated or formerly incarcerated, and our allies to make it what we all need, rather than what a few want.

Murphy Reintroduces Legislation on JJDPA

On April 2, 2009, Congressman Chris Murphy (D-CT) reintroduced legislation to reform federal juvenile justice policy to mirror many of the successes in juvenile justice reform in Connecticut. Murphy hopes that Congress will include his legislation, the Juvenile Justice Improvement Act, in the reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDPA). Murphy's bill would:

- Protect youth prosecuted as adults from being held in an adult jail or lock-up pre-trial except in very limited circumstances;
- Allow states that currently house youth sentenced as adults in juvenile corrections facilities to continue doing so;
- Keep youth out of locked facilities (jails and prisons) for non-criminal status offenses (i.e., violating curfew laws, running away, possessing alcohol or tobacco);
- Reward states, through incentive grants, for establishing best practices in the juvenile justice system by reducing or eliminating dangerous practices in facilities, improving public safety and rehabilitation of delinquent and at-risk youth, and using evidence-based programs to address mental health treatment needs of juveniles.

Murphy believes that the 7,500 young people in adult jails each day and 90,000 more in juvenile facilities can become positive and contributing members of the community and workforce if they are provided with developmentally appropriate and research-based programs and services.

"We are missing an opportunity to help these kids get back on the right track. By keeping kids out of adult lock-ups and investing in reform programs that are actually proven to work, we could give them a chance to lead a productive life, keep them out of jail in the future, and improve the safety of our communities," said Murphy.

Congressman Murphy was a leading sponsor of the Connecticut "Raise the Age" legislation to move 16- and 17-year-olds out of the adult criminal justice system, which passed in 2007 and is currently awaiting implementation.

"Congressman Murphy has been a staunch advocate for juvenile justice reform since his days in the Connecticut Senate. We appreciated working alongside him to promote significant improvements to the juvenile justice system here and applaud his efforts to ensure federal laws reflect best practices in juvenile justice policy and practice," said Abby Anderson, Executive Director of the Connecticut Juvenile Justice Alliance, CFYJ's Connecticut partner.

Support JJDP A Reauthorization

The JJDP A was reintroduced last month in the Senate Judiciary Committee. Please support the JJDP A reauthorization bill by:

- Calling or writing a letter to your Senators to co-sponsor and support S. 678;
- Calling or writing a letter to your Representative to urge the U.S. House of Representatives to consider legislation to reauthorize the Juvenile Justice and Delinquency Prevention Act this year; or
- Sending a letter from your organization to Senators Leahy and Specter in support of the bill.

Please contact edavies@cfyj.org for more information or for copies of the sign-on letter.

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MEDIA WRAP



Listen to *Juvenile Justice Matters*

Listed below is the lineup of this month's episodes of *Juvenile Justice Matters*, the CFYJ weekly radio show addressing the issue of juvenile transfer to adult court through the testimony of academics, advocates, and youth and families. The show is hosted weekly at 4:30 EDT on Thursdays through Blog Talk Radio at www.blogtalkradio.com/jjmatters. Don't forget to call in with questions to 347.843.4360.

April 30: Mark Soler, Executive Director of the DC-based Center for Children's Law and Policy shares his expertise on conditions of confinement and his experiences with youth in the adult justice system across the country.

April 23: Convicted at the age of 15, Efrén Paredes never saw the inside of a juvenile court and has steadfastly maintained his innocence. Family, friends and followers are campaigning on his behalf in an effort to commute his sentence. Also featured on the show is Paul Ciolino, the widely acclaimed investigator who has been working on Efrén's case since 2005.

<http://www.blogtalkradio.com/jjmatters/2009/04/23/Exclusive-interview-with-Efrn-Paredes-Jr-from-prison>

April 16: Brian Warth was tried as an adult and served many years in prison. Brian is currently spreading a message of hope in a speaking tour in and near Los Angeles.

<http://www.blogtalkradio.com/jjmatters/2009/04/16/Interview-with-Brian-the-youngest-lifer-ever-in-recent-history-to-receive-a-parole-date>

April 9: Dawn Folsom, a formerly incarcerated juvenile prosecuted as an adult, describes her experience in prison, her work advocating for children and her thoughts on the criminal justice system in Indiana today.

<http://www.blogtalkradio.com/jjmatters/2009/04/09/Interview-with-Dawn-Folsom-A-formerly-incarcerated-juvenile-prosecuted-as-an-adult>

April 2: Andre speaks about his experience as a 16-year-old tried as an adult. Now 18, Andre has just been released from the facility where he was held in North Dakota, and he is facing the obstacle of an adult conviction as he works toward a brilliant future.

<http://www.blogtalkradio.com/jjmatters/2009/04/02/Interview-with-Andre-an-18-year-old-from-DC-recently-released-from-adult-prison>

GET ORGANIZED

A Monthly Column by Grace Bauer

Rallying Community Participation

"People don't care enough about this to work on the issue."

"We have meetings for the community, but no one comes."

"No one wants to get involved."

These are just a few things I have heard in my years of organizing families and communities around juvenile and criminal justice issues. All of them are false statements. People do care, especially about children. People do want to get involved, especially in places where their involvement matters. Why is it, then, that this perception of apathy in the community exists? What can we do differently to better activate community stakeholders?

Organizing Successful Meetings

I, like many of you, have sat through a seemingly endless barrage of meetings. Many of them have not taken into account the short attention span of the audience, and meeting facilitators seldom think through what their agenda means to their audience. Here are some things you should consider when planning meetings and inviting others.

Where will you hold your meetings?

Ideally, you are looking for a meeting space that is easily accessible to the community most affected by your issue. Places you might think about are recreation centers, other community organizations, libraries, schools, or churches. You should not hold these meetings in your office unless this is a place the community can get to easily and in which they will feel comfortable. You do not need to bring the whole state or even all possible groups to one meeting. Your meetings should be planned to appeal to the concerns of different groups and areas. Doing five small meetings may be better than holding one large meeting and being unable to focus on the concern of any one group.

How do you get the word out?

If your desire is to include families and community, then sending out flyers to your colleagues is probably not going to get folks from the community to your meeting. You could try:

- Public Service Announcements (PSA) on the radio, local television and newspapers;
- Popular blog spots for your community;
- Flyers at the courthouse, detention center, and jails;
- Flyers sent to other grassroots community organizations;

- Flyers posted in the most affected geographic area (laundromats, convenience stores, libraries, recreation centers, etc.); or
- Letters, accompanying a few flyers, to all churches in the target area.

How do you make sure people will show up?

You have sent word to the community, but that's not enough! Make follow-up calls to make sure people understand how important it is that you have community support. Call the pastors or leaders of the churches and spend a few minutes talking to them. Find out what they know about their community. Ask who the community leaders are, where young people congregate, and ask for them to speak to their congregations about your upcoming meeting and why it is important to that community. Call other organizations and ask if they received your flyer and if they have a listserv they can use to share the announcement with others.

Make sure to find out when media outlets are going to run your PSA and check to see that it does run. This could be an opportunity to begin making good connections with media: ask to speak with a reporter, and ask that they attend the meeting. If they can't send someone, find out if they will allow you to provide them with a story or information.

How will you engage your audience during the meeting?

Think through your agenda carefully. The first question to consider is, "Who is my audience, and why would they care about children being tried as adults?" If you were speaking to a group of business owners, you would want to appeal to their concerns about their communities and how this law negatively affects their businesses. You might focus your attention on the high economic cost to the community when young people end up in jails at taxpayers' expense rather than receiving services that can provide help to youth and their families that benefit the entire community in the long run. Think carefully and tailor your message accordingly.

Agendas that only focus on you as the presenter are usually boring, and people lose interest. As you prepare your agenda, include the folks in the room at all possible points. Keep your presentation short and to the point. The presentation should tell who you are, what the issue is, why it matters to this group of folks, and what they can do to help change what is wrong. Allow your participants time to ask questions and voice their concerns. This part of the meeting can sometimes become the heart of the meeting and you may need to facilitate the discussion back to the reason you are there. Be prepared with materials to effectively tell folks exactly what you need them to do. Start on time and finish on time.

Including community is an asset to your campaign, and it doesn't have to be difficult. It just needs to be done with a lens focused on community concerns. If you need help to prepare for a meeting, please give us a call at the Campaign. Through our many years of experience in this arena we have gained a wealth of expertise and a tremendous amount of respect for the invaluable contributions of community.

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VOICES

Ilona, of Savannah, Georgia, recently spoke with CFYJ about her experience having a son tried as an adult.

Ilona, originally from Germany, married an American army sergeant and currently resides in Savannah. At the age of 16, Ilona's son Melvin became involved with the adult justice system when a friend of his used him as the getaway driver in a crime he committed. Melvin's codefendant made a deal with the prosecutor to pin responsibility for the crime on Melvin, despite the fact that most of the evidence points toward his codefendant's guilt.

The judge in Melvin's case was new, and according to Ilona, he told Melvin he was going to make an example out of him. Melvin is now serving a life sentence with the possibility of parole and is 33 years old, having served 17 years to date.

When Melvin first became involved with the system, Ilona says, she was terrified and in shock. She couldn't figure out why her son would be tried as an adult. To date, Ilona has spent over \$40,000 on attorneys' fees.

At the facility where he was sent, Melvin was housed with adults, some of them 50 or 60 years old. The healthcare there was terrible, and the violence was "unreal." Melvin once witnessed an officer kill an inmate because he refused to come out of his cell. Ilona visited the mother of the inmate and learned that the man's mother had successfully sued the prison.

Ilona is disillusioned with a system that could have allowed this to happen to her son and disgusted by the amount of power wielded by the Georgia parole board. Melvin was optimistic about his release when he came up for parole in 2007, having earned a clear record for 10 years and having completed all of the programs offered in prison in Georgia, including a number of computer skills certifications. He was working as an assistant teacher in the prison, and had plans to repair computers upon release. "I prepared myself in 2007 for my son to come home, bought a new car and a bedroom set...everything was just gone in the blink of an eye." Melvin was turned down for parole because of "the severity of the crime," with no consideration to his youth at the time of the crime or how marginal his role in it. He comes up for parole again in 2015.

Recently, Ilona became aware of another case in Georgia similar to her son's, where the crime was similar and the defendant was not the primary person responsible for what happened. The only difference Ilona can see is that this young man is white, and her son is black. Yet, Melvin has consistently been given more time between parole hearings. "I asked myself, 'does race play a factor?' The answer is yes....Georgia is a state ruled by the old southern ideal...in the southern states, it's very likely that a juvenile goes to prison. A black juvenile who goes to prison does more time and gets more life sentences."

"My life has been very different [since this happened.]...It has affected me that I really isolated myself in a way. I talk to people, but I can see the negative vibes that I'm getting....Everywhere I go I think of my son. What would I buy him, what would we do?...I feel somewhere sooner or later, it makes a person ill. You wanna cry all the time but...you hold it all inside. Where can it go?"

Ilona talks to her son about once a week, and every month she drives 3 ½ hours to visit for a weekend. "You also have to consider my age...It costs money, it costs time....It has been a long ride....This is nothing to joke with....This really will tear you up financially and mentally; it's a strain."

As for her ideas about system reform, Ilona shares, "Younger inmates should be together...in a different building [from adults]....I would give rehabilitation for [juveniles] to go to school and do something for themselves."

"I pray, wish, and hope that the public itself will start looking at the system and see how it really destroys the whole family, not just the victim's family, the other family too...it will take a lot to make it right again. I wish there would be some help for juveniles that they would not go into adult prison."

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NATIONAL MOMENTUM

California Group Sponsors Juvenile Justice Sabbath

On May 22-24, 2009, Faith Communities for Families and Children (FCFCLA), a Los Angeles-based advocacy group, is encouraging faith-based communities to observe the Juvenile Justice Sabbath by hosting various events which will draw attention to the plight of children who have been victims of violent crime as well as incarcerated children. The Juvenile Justice Sabbath is an opportunity for faith-based groups to make a unified call for action.

Read the letter from FCFCLA about the JJ Sabbath at:

<http://www.campaignforyouthjustice.org/documents/JJSabbathintroletter.pdf>.

To download the endorsement sheet, read about ways to participate, and make a commitment for your faith community to observe the Juvenile Justice Sabbath, visit this link:

<http://www.campaignforyouthjustice.org/documents/JJSabbathendorsementform.pdf>.

Join the Facebook event for FCFCLA's Juvenile Justice Sabbath at:
<http://www.facebook.com/home.php#/group.php?gid=69272320856>.

View and print an informational flyer about the event at:
<http://www.campaignforyouthjustice.org/documents/JJSabbathflyer.pdf>.

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ON THE CALENDAR

Dwayne Betts to Speak at Conference of the Coalition for Juvenile Justice

The Coalition for Juvenile Justice (CJJ) will hold its annual conference on May 2-5 at the Crystal City Marriott at National Airport in Arlington, Virginia. The conference, entitled "Unlocking the Future of Juvenile Justice," will showcase juvenile justice and delinquency prevention reform efforts that demonstrate alternatives to formal system involvement, out of home placement, detention, and incarceration for youth as well as engage attendees in discussions of how to better use positive youth development principles in juvenile justice policy.

A keynote address will be given on the second day of the conference by Dwayne Betts, a poet, youth activist, and national CFYJ spokesperson. Dwayne will speak about his experience as a youth in the adult criminal justice system and his current work as a teacher and student at the University of Maryland. He will offer insights from his forthcoming memoir, *A Question of Freedom*.

Advocates to Brief Congress on African American Youth in the Justice System

The Center for Children's Law and Policy, the W. Haywood Burns Institute, the NAACP, and the Campaign for Youth Justice will hold a congressional briefing on issues facing African-American youth in the juvenile justice system on Tuesday, May 5, 2009 from 10am-11:30am in the Cannon House Office Building, Room 121. The briefing will be held in cooperation with Representatives Robert C. "Bobby" Scott, Donald M. Payne, Danny K. Davis, and Yvette D. Clarke.

It is well known that African-American youth face alarmingly disparate treatment in the juvenile justice system as compared to youth of other racial groups. This disparate treatment starts at arrest - African-American youth make up 30% of those arrested while they only represent 17% of the overall youth population - and continues to the other extreme end of the system - African-American youth are 62% of the youth prosecuted in the adult criminal system and are nine times more likely than white youth to receive an adult prison sentence.

In light of these continued disparities, the Campaign for Youth Justice released a report entitled "Critical Condition: African-American Youth in the Justice System." The report not only reviews the current state of inequality in the juvenile justice system, but it also provides examples of promising solutions and policy recommendations to reduce these disparities.

NCLR and CFYJ to Brief Congress on Latino Youth in the Justice System

On May 20, 2009, in Dirksen Senate Building Room G-11 at 12 p.m., the National Council of La Raza (NCLR) and the Campaign for Youth Justice will host a congressional briefing and release a new report entitled "America's Invisible Children: Latino Youth and the Failure of Justice." The report reviews the current state of Latinos in the U.S. and in the juvenile justice and adult criminal justice systems, outlining promising solutions and policy recommendations to reduce racial and ethnic disparities. Latinos are currently the largest minority population in the U.S., and on any given day over 17,000 Latino youth are incarcerated in America. Recent studies show that Latino youth are populating the criminal justice systems at a faster rate than their growth in the U.S. population.

This briefing will provide timely information as Congress works to reauthorize the Juvenile Justice and Delinquency Prevention Act (JJDP A).

Organize Your Own Mother's Day Event

Next month, the Campaign for Youth Justice and the National Juvenile Justice Network will present the national Mother of Distinction Award to mothers who have done great work to advocate for reform of the juvenile justice system or end the practice of trying, sentencing, and incarcerating youth as adults. We hope you will join the Campaign for Youth Justice and the National Juvenile Justice Network in recognizing mothers who are working to change the justice system. The Mother's Day toolkit, available now, provides ideas and sample materials for connecting mothers and their children on Mother's Day, engaging more mothers in advocacy efforts, and raising awareness about this important issue.

Download the Mother's Day toolkit here in PDF:

<http://www.campaign4youthjustice.org/documents/MothersDayToolkit09A.pdf>.

Or, download the Mother's Day toolkit as a Word Document here:

<http://www.campaign4youthjustice.org/documents/MothersDayToolkit09A.doc>.

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GET IN THE ACTION WITH CFYJ

Send us your story of a youth tried as an adult or refer a friend to participate in CFYJ's [Case Profiles Project](#).

Support [reauthorization](#) of the Juvenile Justice and Delinquency Prevention Act by writing to your Senator or Representative.

Listen to [Juvenile Justice Matters](#) radio show.

Call in to the show with questions at (347) 843-4360.

Organize events with your community or advocacy group to make [Mother's Day](#) a special time to recognize mothers and youth affected by policies that put youth in the adult justice system.

Engage your faith community by observing the [Juvenile Justice Sabbath](#) May 22-24.

Join the Campaign for Youth Justice group on Facebook and connect with hundreds of advocates across the country at:

<http://www.facebook.com/group.php?gid=22937084155&ref=ts>.

Visit the Campaign's YouTube channel at:

<http://www.youtube.com/user/jjreform>.

Read *JJ Today*, Youth Today's blog on juvenile justice at:

www.youthtoday.org/jtoday.

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