

CAMPAIGN FOR YOUTH JUSTICE

BECAUSE THE CONSEQUENCES AREN'T MINOR

February 2010 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.

In This Issue

ACROSS THE COUNTRY
FROM THE HILL
NATIONAL MOMENTUM
MEDIA WRAP
GET ORGANIZED
VOICES
ON THE CALENDAR
TAKE ACTION, SPREAD THE WORD
HOW YOU CAN HELP

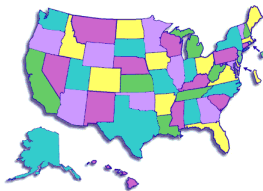
[Join Our Mailing List!](#)



Quick Links

[READ MORE](#)
[MAKE A DONATION](#)
[CONTACT US](#)

ACROSS THE COUNTRY



Sign a Petition Supporting a Youth Tried As an Adult and Facing Deportation
Neelum Arya

On February 18, *The New York Times* reported on the case of a young man who was prosecuted as an adult and, although he has lived an exemplary life since his initial involvement in the system, he is currently awaiting deportation. Please consider signing the petition to urge New York State Governor David Paterson to pardon Qing Hong Wu, erase his criminal record, and stop the deportation proceedings.

Qing Hong Wu, currently 29 years old, has lived in the United States as a lawful permanent resident since the age of 5; he is originally from China. His parents worked long hours at modest jobs to afford the basic necessities for their children. Qing was a gifted student, but, with limited parental supervision, he participated in a series of crimes as a teenager. In 1996, he pled guilty to a series of

muggings and was sentenced by Judge Michael Corriero to three to nine years in a New York reform school. He was a model youth while incarcerated, earned his release at the age of 18, and has not been in trouble since. In 2007, believing his record would not count against him, Mr. Wu applied for citizenship and disclosed his record. Later, Mr. Wu realized that because of his record he is not only ineligible for citizenship but was deportable. Although he tried to withdraw his application, it was too late. Immigration authorities have started deportation proceedings against him.

Mr. Wu's case illustrates how both juvenile court adjudications and adult court convictions can have serious immigration consequences for all youth who are non-citizens, not just youth who are undocumented. A petition urging New York Governor Paterson to pardon Mr. Wu is available at <http://www.gopetition.com/petitions/pardon-qing-wu.html>. Please consider signing the petition.

The *New York Times* article featuring Mr. Wu's story is available at <http://www.nytimes.com/2010/02/19/nyregion/19judge.html?pagewanted=all>.

Virginia Residents: Take Action to Keep Youth Pending Trial as Adults Out of Adult Jails

Liz Ryan

Recent legislation in Virginia, sponsored by Senator Louise Lucas (D-18), has been approved by the Virginia Senate and is now awaiting action in the House of Delegates' House Courts of Justice Criminal Subcommittee. The bill, SB 259, creates a presumption that unless proven a threat to other youth or staff or security, youth being tried as adults must be detained in juvenile detention facilities, where they will receive education and counseling, unlike in the general population in adult jails. This is an important legal change as current Virginia law provides judges with no standards or guidance when they make the decision about where to hold youth pending trial. Thus, this legislation has the potential to protect many youth from the dangers of adult jails.

Virginia residents, please take action and support SB 259 and juvenile justice reform efforts in Virginia by going to <http://dontthrowawaythekey.wordpress.com/>.

North Carolina Residents: A Letter and Request from our Partners in North Carolina

Action for Children North Carolina

Dear Advocates,

North Carolina is one of only two states in the United States that prosecutes all 16- and 17-year-olds in the adult correctional system, with no option to be waived into the juvenile system regardless of the severity of the crime. Eighty-five percent of crimes committed by youth in North Carolina are minor and nonviolent, yet these youth come into contact with the adult criminal justice system which is not designed to meet the rehabilitation needs of youth.

Action for Children, CFYJ's North Carolina state partner, believes all youth charged with a crime should start out in the juvenile justice system and judges should retain the authority they currently have to transfer minors to the adult system. Hundreds of you have joined us in expressing support to raise the age of juvenile court jurisdiction from 16 to 18 in North Carolina. Through a new petition tool at Change.org, we now have a way of bringing your support together in one place and

letting North Carolina's state leadership know how you feel.

North Carolina residents, please read and sign Action for Children's new "Raise the Age" petition through Change.org at http://www.change.org/actions/view/get_children_out_of_the_adult_system_justice_for_juveniles. Through your signature, an email will be automatically sent to North Carolina's state leaders asking them to keep our children out of the adult correctional system.

Why you should sign:

OUR CHILDREN: Annually, over 30,000 of North Carolina's children are involved with the adult criminal justice system. The vast majority of them are charged with minor crimes, yet they now have adult criminal records.

PUBLIC SAFETY: Data demonstrates that youth handled in the juvenile justice system go on to commit less crime than those dumped into the adult system, which has no mandatory treatment, rehabilitation, or even education requirements.

OUTCOMES: The juvenile justice system is structured with the adolescent brain in mind. Evidence shows that treatment, rehabilitation, counseling, mentoring, restitution, and developmentally appropriate punishment work together to turn young lives around.

The state law that prosecutes children in the adult system was passed in 1919. Click [here](#) to tell NC leaders that it's time to catch up to the rest of the country.

Please send this information to your friends, family, and contacts. Together, we can Raise the Age in North Carolina.

Thank you,

Action for Children North Carolina

Raise the Age Bill Introduced in Wisconsin!

Julie Kudrna

On February 11, Wisconsin State Representative Frederick Kessler (D-Milwaukee), introduced bipartisan legislation to raise the age of adult court jurisdiction from age 17 to age 18 in Wisconsin. The bill introduced, AB 732, essentially reverses this policy and calls for moving youth currently incarcerated as adults for misdemeanor and civil/ordinance violations as early as July 2010 followed by all youth by July 1, 2011. In addition to changing the age of jurisdiction, the bill provides for the creation of a community youth and family aids surcharge to help fund the change and modifies the process for rate-setting by the Department of Corrections.

In 1996 the state changed its laws to mandate that all 17-year-olds be prosecuted as adults, without exception for minor, nonviolent offenses. Of this policy, Kessler, who has previously served as a circuit court judge, says, "I think the change proved to be a mistake.... One of the things we know is kids don't mature as early as people wish, but we're treating them as adults and giving them criminal records."

Kessler's raise the age legislation was co-sponsored by Representatives Friske (R-Lincoln), Roys (D-Madison), Black (D-Madison), Berceu (D-Madison), A. Ott (R-Forest Junction), A. Williams (D-Milwaukee), Townsend (R-Fond du Lac), Bies (R-Sister Bay), Sinicki (D-Milwaukee), and Turner (D-Racine) as well as Senators Risser (D-26), Taylor (D-4), and Grothman (R-20).

The language of AB 732 can be seen at <http://www.legis.state.wi.us/2009/data/AB-732.pdf>.

For updates as this bill moves forward, visit the Wisconsin Council for Children and Families' Justice for Wisconsin Youth page at http://www.wccf.org/proj_justice.php or contact Jim Moser at jmoser@wccf.org.

[Back to Top](#)

FROM THE HILL



CFYJ's Grace Bauer Testifies on Keeping Youth Safe in Custody

Erin Davies

On February 23, the House Judiciary Committee's Subcommittee on Crime, Terrorism, and Homeland Security held a hearing entitled "Keeping Youth Safe While in Custody - Sexual Assault in Adult and Juvenile Facilities." The hearing was led by Subcommittee Chairman Robert C. "Bobby" Scott (D-VA) and attended by Representatives Goodlatte (R-VA), Jackson-Lee (D-TX), and Gohmert (R-TX).

The hearing follows the recent release of a Bureau of Justice Statistics report which stated that 12 -13% of youth in juvenile justice facilities had been sexually assaulted within the past year. The report is available at <http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=2113>.

During the hearing, several witnesses testified, including:

- Professor Brenda V. Smith - A professor from the Washington College of Law at American University and a member of the National Prison Rape Elimination Commission;
- Troy Isaac - A young man who had been sexually assaulted in various juvenile and adult facilities in CA;
- Bernard Warner - Chief Deputy Secretary for Juvenile Justice, CA Department of Corrections and Rehabilitation Division of Juvenile Justice;
- Gabriel A. Morgan - Sherriff, Newport News, VA; and
- Grace Bauer - A parent a young man involved with the juvenile and adult systems and who works with CFYJ to organize parents with sons and daughters in these systems.

Grace gave an amazing, strong voice to parents who have youth involved in these systems, including the physical abuse her son endured while incarcerated. Her testimony, along with the other witnesses, created a profound sense of urgency for Members of Congress and called upon them to act quickly to protect youth by reauthorizing the Juvenile Justice and Delinquency Prevention Act and implementing the recommendations of the National Prison Rape Elimination Commission.

Each of the witnesses' testimony can be found at http://judiciary.house.gov/hearings/hear_100223.html.

[Back to Top](#)

NATIONAL MOMENTUM

Latino Elected Officials Hold Inaugural Gathering to Address Juvenile Justice

Neelum Arya

In January 2010, Los Angeles City Council Member Tony Cárdenas (District 6) and Texas State Senator Leticia Van de Putte (D-San Antonio) convened an intimate gathering of prominent Latino elected officials from throughout the country for the inaugural meeting of "The Changing Face of America: A Latino Conversation on Juvenile Justice and Youth Intervention." This historic forum was held in Los Angeles and was designed to provide lawmakers with a better understanding of youth delinquency and effective legislative solutions to reduce youth violence in Latino communities through candid conversations with juvenile justice policy experts, local law enforcement, private-sector advocates, and street-level intervention practitioners. At the meeting, juvenile policy experts Neelum Arya, CFYJ's Research and Policy Director, and Raquel Mariscal, of the Annie E. Casey Foundation, discussed preventive and cost-effective solutions targeting the root causes of juvenile delinquency, such as poverty and limited economic opportunities, and ways to reduce the harm caused by justice-system involvement such as reducing youth detention and removing youth from adult jails and prisons.

CFYJ Circulates New National Resolution Against the Prosecution of Youth as Adults

Roger Ghatt

In order to stand up for more humane, just, and effective responses to youth involvement in the criminal system, the Campaign for Youth Justice has written a new resolution against the practice of trying youth in the adult criminal court system. The resolution reflects the latest research from the US Department of Justice, the Centers for Disease Control and Prevention, and The Brookings Institution which indicate that young people who are prosecuted in the adult criminal justice system are more likely to re-offend than young people who remain under juvenile court jurisdiction.

The resolution can be found on the CFYJ website at <http://www.cfyj.org/documents/national-resolution>. Individuals and organizations interested in signing on in support of the resolution should contact Steve Ford via email at jjstate@cfyj.org by March 31.

[Back to Top](#)

MEDIA WRAP



Juvenile Justice Matters is back!

Eric Solomon

CFYJ took some time off from its weekly *Juvenile Justice Matters* radio show to make some improvements. We will now air the show monthly and inform you of upcoming shows via this newsletter and other e-communications. One change to the show you will notice is that, due to the popularity of our weekly news roundup, we are now incorporating a news update within each radio show. CFYJ fellow, Megan Fillebrown from American University, will comb through thousands of juvenile justice articles each month and bring the best to you on the air. Be sure to catch Megan and the rest of the team for the new, improved *Juvenile Justice Matters* show at <http://www.blogtalkradio.com/jjmatters>.

In its first month back, this week *Juvenile Justice Matters* spoke to Jermaine Hailes and his mother Keela. Jermaine is a DC youth who was tried as an adult and incarcerated in Devil's Lake, North Dakota. About one year ago we conducted an interview with Keela about how she was coping with being separated from her son for more than two years. Jermaine, now home and adjusting, shared his experiences in the system and some tips for youth who are returning home to their communities.

Check out the upcoming *Juvenile Justice Matters* shows airing at 4:30 p.m. EST:

- March 11 - David Chura, author of *I Don't Wish Nobody to Have a Life Like Mine: Tales of Kids in Adult Lockup*
- April 1 - Matt Lawrence, 2010 American Idol Contestant, who spent time in the Juvenile Justice System for Robbing a bank with a bb gun.

Join CFYJ on Facebook and Twitter

If you haven't joined our [Facebook](#) fan page yet, please do so! Allison Zoch, CFYJ social media fellow from The George Washington University, updates our page with the latest news and other useful information. She also oversees [our Twitter page](#). Send Allison your stories or happenings in your region so we can cultivate a national movement for juvenile justice reform!

CFYJ Releases Updated *Childhood Interrupted* DVD

The Campaign for Youth Justice has just released an updated version of its DVD entitled, *Childhood Interrupted*. This video includes the latest statistics and interviews from parents, experts, and formerly incarcerated youth. To view the entire video, visit <http://cfyj.blip.tv>.

[Back to Top](#)

GET ORGANIZED

Families in Power

Grace Bauer

The Campaign for Youth Justice recently released a guide for families who want to do something to change the foolish and ineffective practice of trying our children as adults.

Our new guide is entitled, "Families in Power: Family Guide to Networking, Coalition Building, Organizing and Campaign Building." The guide, available at http://www.cfyj.org/documents/CFYJ_FamGuide.pdf, provides basic information about how families and allies can begin to organize themselves and others to change transfer practices and other overly punitive policies that negatively affect our children and our communities.

Here is one highlight from this new guide:

The first step in creating powerful families and organizing others is developing a way to talk about your issue with a wide variety of audiences. Many organizers refer to this as your "rap." Your rap about the transfer of children into the adult correctional and court systems should be your 30 second commercial that is designed to open up dialogue with others. It should include: a fact or two about youth transfer in order to educate people who may not know about transfer laws, why this issue is important to you, and what you need from the person you are talking to. Be sure you have your facts down and that they are accurate. There are several fact sheets on the Campaign's website, <http://www.campaignforyouthjustice.org>, that can help you easily identify important facts. The best fact sheet to use summarizes the findings of CFYJ's *Jailing Juveniles* report and speaks to the danger children face in jails every day in this country. This fact sheet is available at http://www.campaignforyouthjustice.org/documents/CFYJFS_JailingJuveniles_000.pdf.

The goal of the rap is to eventually gain support for the issue. Thus, you should have a couple raps worked out in order to address what would be the most important to the person you are talking to. Below are a three examples of different raps on youth transfer for different audiences:

First example: Someone sees my Join the Movement, <http://www.campaignforyouthjustice.org/join-the-movement.html>, bracelet and asks me what it means. I simply want to provide them with some brief, but compelling information that piques their interest.

I say: "I wear this orange bracelet to show support for the hundreds of thousands of children that run through the US courts each year. Many of these children end up in prisons and jails with adults and suffer abuse and neglect. Most of these kids have not committed violent offenses, and yet they come out of these systems with adult convictions that destroy their chances at education or employment. The "adultification" of children has taken a severe toll on our children and our communities. Would you like to know more?"

Second example: I attend a community meeting with several legislators from my district. When speaking to a legislator, I want to make sure s/he understands how the practice of prosecuting youth as adults is destroying the communities s/he represents and that transfer is not providing us with the public safety that some politicians have promised.

I say: "Hi, my name is Grace Bauer and I advocate on behalf of families of children involved in the adult criminal justice system. You may not be aware, but most of these children are not charged with the violent crimes as one would expect. These children face harsh and brutal consequences as the result of being housed with adults. Children in adult jails are 36 times more likely to commit suicide, and sexual abuse is prevalent, destroying the lives of young people every day. The Centers for Disease Control and Prevention put

out a report saying that treating children as adults actually creates younger repeat offenders. This practice is not helping us as a community and we need to change the law that allows this to happen. I would like to spend a few minutes providing you with information and talking with you about this issue. Can we set up a time for me to drop off the information and talk?"

Third example: I am talking to someone who I want to join with me in my work advocating for youth and families. In these instances, I often try to see where this person's life intersects with the justice system. One point you can make with most people is that we want money for community building and less crime.

I say: "Here in the United States, we are addicted to incarceration. We continue to spend money on building prisons and jails while cutting education and other community programs such as libraries and recreation centers that reduce crime. We also know that the transfer of children into adult facilities does not reduce crime, but rather increases crime. We need to be smarter about this. Will you help me work to reduce crime through advocating for community-based prevention and intervention rather than the transfer of youth to adult court?"

Once you develop your own rap, which you can model off those above, it is helpful to practice it so you become as comfortable with saying it to someone, just as you would be comfortable sharing your name and occupation.

Finally, your rap will be most effective when you understand the issue of transfer completely. Learn the issue and understand that most people believe that the children who go through the adult system deserve to be there. Therefore, you must think of yourself as a teacher and tell them the truth about transfer. Set them straight by sharing the facts that that most people don't know: the high percentage of kids in adult courts are there for non-violent offenses and the incarceration of youth with adults increases crime.

If you would like help developing your rap or writing letters about the issue of transfer, please give us a call at the Campaign at 202.558-3580. We are happy to help. Also, if you have suggestions on how families can increase their power to change the policies that throw our children away, please let us know. We always learn from your expertise as families and welcome your thoughts, suggestions, and ideas.

[Back to Top](#)

VOICES

Joyce Ayala



a parent from New York

Joyce describes her daughter, Sara, as dynamic and wild but also charming. Sara has had an IEP, Individualized Education Plan, since the age of three for a learning disability and also has some kind of stimulus disorder which has contributed to continual behavior problems. Despite Joyce's attempts to advocate for Sara to receive the educational services she needed, things spiraled out of control for Sara who ended up being part of a robbery.

Joyce says, "My daughter... was totally railroaded into prison, with her behavior problems being used against her. She did not have a fighting chance; they had her guilty before she ever went to trial.... [The judge] said, 'She's had problems all her life. Maybe she can get some help in prison.' Any person in this country knows that you're not gonna get help in prison.... Very few people get rehabilitated in prison because they're spending too much time trying to survive in there."

Sara is imprisoned in a maximum security facility hours away from her mother. "It's a long, costly drive for me," Joyce says. She describes one visit to her daughter saying, "I arrived at 9:00 a.m. They didn't bring her down until 11:30, and I had to leave by 1:00 p.m.... They didn't know where she was because her programs had switched. We [finally] visited for awhile. I left, and I cried my eyes out. I cried as I left because I didn't want to leave her there."

Joyce continues, "I'm scared whether she'll even walk out of there, and, if she does walk out of there, I'm scared of what she'll be like because she's still being molded at her age.... Within me I have a sadness... [and] I'm preparing myself for anything. Do I feel like she's safe? No. Do I feel like they care if she's safe? Absolutely not. Why would anybody in their right mind put a child in a situation like that?"

"We [my family] are in prison too. We might not have bars around us, but we're in prison. I want to know why, as a taxpayer, the writing's on the wall but why they can't see it and why they don't change it. How many kids are going have to be killed or commit suicide before they decide what they're doing's not right? Why are judges and prosecutors foaming at the mouth to get rid of our problem children?"

[Back to Top](#)

ON THE CALENDAR



March 19

On March 19, the *Louisiana Law Review*, The John D. and Catherine T. MacArthur Foundation, and The George W. & Jean H. Pugh Institute for Justice will host "The Backdoor of the Juvenile Courts: Waivers and the Impact of Criminalization." This symposium will examine the increased use of statutory waiver and transfer provisions to try juveniles for offenses in the criminal courts, rather than the juvenile courts, and whether such a phenomenon can be reconciled with the original purposes resulting in the creation of juvenile courts a century ago. CFYJ's Research and Policy Director, Neelum Arya, will be a featured speaker at the symposium.

The free event, including a luncheon, will be held from 8:45 am to 4:00 pm at the LSU Law Center, David Robinson Courtroom at 1 East Campus Drive in Baton Rouge. All are invited and attorneys receive five hours of free CLE credit for attendance. To register, send your name, title, and position to Brenda Salassi, Clinic Coordinator, Paul M. Hebert Law Center, P.O. Box 25080, Louisiana State University, Baton Rouge, LA 70894, fax to (225) 578-6018, or email clinic@law.lsu.edu. For more detailed information, agenda, and speaker bios, visit www.law.lsu.edu/seminarsandconferences.

[Back to Top](#)

TAKE ACTION, SPREAD THE WORD

Urge your Representatives to move the JJDP A Reauthorization bill! Send a letter at http://criminaljustice.change.org/actions/view/tell_the_house_pass_juvenile_justice_reform_now.

Act to support juvenile justice reform in Virginia. Go to <http://dontthrowawaythekey.wordpress.com/>.

Sign the petition urging New York Governor Paterson to pardon Qing Hong Wu, youth prosecuted as an adult now facing deportation, at <http://www.gopetition.com/petitions/pardon-qing-wu.html>.

Ask North Carolina state leadership to "Raise the Age" of juvenile court jurisdiction. Send a letter at http://www.change.org/actions/view/get_children_out_of_the_adult_system_justice_for_juveniles.

Encourage parents and families who have been directly affected by punitive policies that try youth as adults to join the National Parent Caucus at <http://www.campaignforyouthjustice.org/parents-resource-center/local-parent-group-listing.html>.

Follow CFYJ on Twitter at <http://twitter.com/justiceforyouth>.

Send your story of a youth tried as an adult or refer a friend to participate in CFYJ's Case Profiles Project at <http://www.campaignforyouthjustice.org/tell-us-your-story.html>.

Listen to the upcoming March 11 episode of the *Juvenile Justice Matters* radio show at <http://www.blogtalkradio.com/jjmatters>.

Join the Campaign for Youth Justice on [Facebook](#) and connect with hundreds of advocates across the country.

Visit the Campaign's YouTube channel at <http://www.youtube.com/user/jjreform>.

Read JJ Today, *Youth Today's* blog on juvenile justice at <http://youthtoday.org/talk/comments.cfm?topic=20>.

[Back to Top](#)

HOW YOU CAN HELP

As you know, prosecuting youth in the adult criminal justice system is:

Inhumane. Thousands of kids face physical and sexual abuse - and suicide - every year as they languish in adult jails and prisons having been charged or sentenced in adult courts.

Unjust. The system disproportionately affects African-American and Latino youth, who are treated more harshly by the adult justice system than white youth for similar offenses.

Ineffective. These punitive policies just don't work - and in fact, research by the Department of Justice shows that they decrease public safety.

To change these inhumane, unjust and ineffective policies, the Campaign for Youth Justice was launched and is working to end the practice of trying, sentencing, and incarcerating youth under the age of 18 in the adult criminal justice system.

We need your help!

Federal and state policymakers won't take action to change these policies unless they hear from their constituents. More grassroots campaigns are needed on the ground in states to show support for reform!

To launch grassroots campaigns in new states in 2010, we are asking you to participate in the "10 by 10" campaign to raise \$10,000 in 10 days! Please consider donating \$10 and inviting 10 of your friends to each donate \$10 in the next 10 days!

Donate to the "10 by 10" campaign!

Donate \$10 to the "10 by 10" campaign at <http://www.campaignforyouthjustice.org/donate.html>.

Spread the word!

Tell 10 friends about the "10 by 10" campaign by forwarding this email!

Get Updates!

For updates on the "10 by 10" campaign, sign up for weekly news, monthly newsletters, and action alerts at

<http://www.campaignforyouthjustice.org/e-newsletter.html>. Stay connected to the campaign on [Facebook](#)! Look for the "Campaign for Youth Justice" group or fan page!

Let's work together to stop these inhumane, unjust and ineffective policies!

Thank you for your time and consideration!

[Back to Top](#)

[Tell a Friend!](#)

SafeUnsubscribe®

This email was sent to jsandoval@campaign4youthjustice.org by jsandoval@campaign4youthjustice.org.

[Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).

Email Marketing by



Campaign for Youth Justice | 1012 14th Street NW, Suite 610 | Washington | DC | 20005