

CHILDREN DO NOT BELONG BEHIND BARS

History of the Juvenile "Justice" System

It is important to note that the criminal justice system is the result of an artificial discourse known as criminality. The problem of juvenile justice does not start in 1899 with the inception of a separated court system; it starts with a false theological narrative of who is criminal. Today, it appears fact that people dichotomously fall within 'good' or 'bad'. What is not discussed is that there was an intentional creation of the idea of 'criminal'. It was created to justify an economic order that is predicated on a racial hierarchy. In creating a 'criminal' based on stereotypes and state sanctioned violence the wealth of the white ruling class was protected. It is socially acceptable for those deemed as having a moral failing to not hold wealth. The label for these people is 'criminal' (Coyle, 2018).

Why is it a Problem?

There are 48,000 'criminal' children incarcerated as a result of the juvenile justice system. In the United States only about 14% of the juvenile population is involved in the justice system, yet 42% of Black youth are incarcerated. Black, Latinx, and Native youth are impacted disproportionately to white youth; not only in terms of involvement with the justice system, but with treatment within it. Youth of color are more likely to be sent to adult facilities, less likely to experience probation, and more likely to be put in solitary confinement (Sawyer, 2019).

Juvenile justice refers to interaction between youth and law enforcement, the court systems, and carceral consequences (Robert, 1990).

African-American youth are

9 TIMES

and Latino youth are

4 TIMES

more likely than white youth to receive an adult prison sentence for the **SAME CRIME**.



It costs local and state governments between \$8-21 billion annually to support juvenile incarceration; averaging about \$407.58 a juvenile per day to keep the child locked up. The Justice Policy Institute found that treatment can be less expensive than imprisonment (McVay, Schiraldi, Ziedenberg, 2004).

Abolition is the work of gradual movement away from prisons as the solution to poverty. Abolition offers alternative methods to healing outside of incarceration for people and communities (McLeod, 2015).

Myths & Misconceptions about the Juvenile "Justice" System

- **Myth:** The Law protects children under 14 because their brains are less developed.

Reality: When a child is accused of a crime legal protection disappears allowing children to be prosecuted and incarcerated. Depending on the state children as young as 8 years old can be charged and sentenced as adults requiring them to serve their sentences in adult prisons (EJI).

- **Myth:** Juvenile offenders do not experience solitary confinement.

Reality: Juveniles incarcerated in both juvenile facilities and adult facilities can experience solitary confinement as punishment. This is worse when children are sent to adult facilities because often times "sight & sound" orders are issued by the judge. This effectively means that due to increased likelihood of assault of youth in adult facilities youth are put in solitary confinement. Regardless of the location of solitary confinement youth experience psychological damage and trauma due to isolation (EJI).

- **Myth:** Abolition is the immediate tearing down of prison walls.

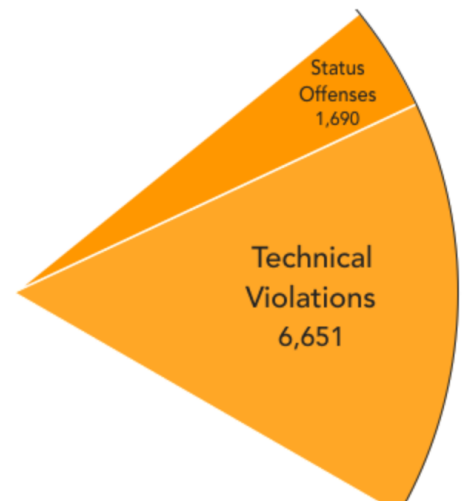
Reality: There are many different approaches to how abolition can take shape. Abolition as the immediate tearing down of walls is easily dismissed by many who view it as unrealistic. Abolition can take the form of changing economic structures, change in judicial priority to value preventative justice methods, and normalized rehabilitative models for violent

offenders (Nicleos, 2015)



How many youth are locked up for the most minor offenses?

8,341 youth are held for probation violations or status offenses



The most effective abolition method would be a federal pursuit of the "Missouri Model". The "Missouri Model" is known as a strategy started in Missouri in which prisons and detention facilities were repurposed into community run "treatment centers" that were staffed by experts in rehabilitative programming (Sawyer, 2019). This would change how the state serves juvenile offenders by prioritizing healing methods over punitive incarceration.

In 2018, Tennessee allotted \$4.5 million a year to develop community-based treatment services for juveniles involved in the criminal justice system. These initiatives are known as "justice reinvestment"; they pursue the abolitionist framework by institutionalizing alternatives outside of imprisonment (Sawyer, 2019).

A study by the National Bureau of Economic Research found that incarcerating a juvenile increases their chances of reoffending by 22% to 26% (Doyle, 2013).

There are other ways; prison is not the answer!

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