

INDEPENDENT REPORT OF THE PRACTITIONER MEMBERS

FY 23–24 Independent Report to Congress and
The White House

DRAFT

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INTRODUCTION

The appointed practitioner members of the Federal Coordinating Council on Juvenile Justice and Delinquency Prevention represent a cross-section of expertise in juvenile justice and delinquency prevention. Members bring a variety of perspectives to the Council, and the areas of expertise are represented in the following disciplines:

- Judiciary
- Advocacy
- Public defense
- Civil and human rights
- Juvenile justice system leadership
- Child welfare
- Tribal interests
- Philanthropy
- Lived experience

The appointed members live and practice across the United States and represent and serve communities that are racially and ethnically diverse. These communities are also diverse in gender and gender identity, sexual orientation, and they include individuals living with disabilities.

The practitioner role on the Coordinating Council is to provide the vital perspective of community members who work directly with young people and their families navigating the juvenile justice system. Practitioners keep the Council informed on emerging issues or issues that have yet to reach Federal agencies. This perspective will ideally supply Federal agencies with a better understanding of the policies and practices needed to support youth at risk of being involved in the justice system or who are currently involved in the system. While the Federal government has made progress over the past 50 years in responding to and preventing involvement in the juvenile justice system through coordination, grant-making, regulations, and litigation, there is much work that remains to be done.

This Practitioner Report includes a snapshot of: (1) The Current Needs of Youth, which reflects the trends and needs of our young people; (2) Effective and Promising Approaches for Justice-Involved Youth; (3) Adopting and Strengthening the Continuum of Care for Youth; and (4) Future Opportunities to Support Youth.

It is important to note that the Council's practitioners fully support values and recommendations of the Coordinating Council at large. The Practitioner Report serves as an independent complement to the report of the full Council, by underscoring where additional opportunities may exist to meet critical needs of youth and families in their communities.

CURRENT NEEDS OF YOUTH

To contextualize the independent Practitioner Report, it is important to have a current picture of the young people the justice system serves. It is critical to note that youth who are over-represented in the

justice system often come from communities that have been systemically under-resourced and under-supported. To reduce these disparities, the Federal government must be a leader in ensuring a fair and just approach to building safety nets and opportunities for our children, with a focus on youth from vulnerable and over-represented communities. Data indicators highlight a need to focus on early education, supports, and connectedness for all young people, particularly in their schools and communities.

- **Youth Well-Being:** In 2024, young people in the United States struggled with their well-being in a world that recently emerged from the COVID-19 pandemic. The Center for Disease Control's 2023 Trends Report of the Youth Risk Behavior Survey found that "from 2013 to 2023, almost all [other than sexual risk behaviors and substance use] indicators of health and well-being in this report worsened. Data highlight worsening trends in protective sexual behaviors, experiences of violence, persistent sadness or hopelessness, and suicidal thoughts and behaviors."¹ According to the US Surgeon General, the level of anxiety, depression, and other unmet mental health needs that youth are experiencing is unprecedented². These trends started prior to the pandemic; one in every five young people had a mental, developmental, behavioral, or emotional disorder³ and few received adequate treatment. Adolescent deaths by suicide have far outpaced those by homicide since 2009.⁴ Furthermore, youth report that they are still recovering from learning losses during the pandemic, mass shootings, racial violence, and they are facing uncertainty about the impacts of climate change and global conflicts.
- Since the pandemic, youth academic performance has declined due largely to an increase in absenteeism that disproportionately impacts students from low-income backgrounds and students of color.⁵ According to a Government Accountability Office (GAO) report released in July 2024, policing in schools is impacting a similar set of students disproportionately; Native Hawaiian/Pacific Islander, Black, and American Indian/Alaska Native students; boys; and students with disabilities had the highest arrest rates. Further, when students belonged to more than one of these groups, they experienced even higher rates."⁶ The GAO report found that arrest rates were twice as high in schools that had police, compared to demographically comparable schools without police.
- Youth whose living arrangements are unstable or whose families are unhoused are also more vulnerable to contact with the justice system. In 2019, approximately 4.2 million youth and young adults reported being homeless (this includes unaccompanied minors); and of those,

¹ Centers for Disease Control and Prevention. *Youth Risk Behavior Survey Data Summary & Trends Report: 2013–2023*. U.S. Department of Health and Human Services; 2024. Available online at [YRBS Data Summary & Trends Report | Youth Risk Behavior Surveillance System \(YRBSS\) | CDC](#)

² <https://www.hhs.gov/sites/default/files/surgeon-general-youth-mental-health-advisory.pdf>

³ Williams D. R. Stress and the Mental Health of Populations of Color: Advancing Our Understanding of Race related Stressors. *Journal of Health and Social Behavior*, 59(4), 466–485, 2018. <https://doi.org/10.1177/0022146518814251>

⁴ *OJJDP Statistical Briefing Book*. Online. Available:

<https://www.ojjdp.gov/ojstatbb/victims/qa02701.asp?qaDate=2020>. Released on April 18, 2022.

⁵ [1 9 AcademicSuccessBookletResource v2 508 v3rev59.pdf \(ed.gov\)](#) p. 1.

⁶ [gao-24-106294.pdf](#) p. 9.

roughly 700,000 are under the age of 18. The majority of youth who have run away from home cite family conflicts and instability as the reason they left home.⁷ Homelessness ties closely to other public systems, with youth reporting that 46 percent have been in juvenile detention, adult jails, or prisons and 29 percent in the child welfare system.⁸ Youth who are unhoused are also more likely to be youth of color; from the lesbian, gay, bisexual, transgender, queer, intersex (LGBTQI+) community;⁹ and/or experiencing a mental health crisis.¹⁰ Finally, 17 percent of teens in foster care group placements report running away.¹¹

- **System Involvement:** Youth crime has been decreasing for nearly 30 years, with violent crime among young people decreasing by 87 percent between 1993 and 2019.¹² In 2019, juvenile arrest rates were at their lowest in half a century. Arrests for crimes of violence were down by 51 percent between 2011–2020; for property crimes, arrests were down by 78 percent.¹³ In 2021, courts handled the same number of cases they did in the 1960s.¹⁴ Research is clear that youth who are served in their community do better over time, and the recidivism rate is lower than it is for youth who go to detention.¹⁵ The majority of youth who touch the juvenile justice system do so only once.¹⁶ Data also make clear that children who are involved in the child welfare system,¹⁷ who are unhoused,¹⁸ who have a diagnosed behavioral health diagnosis,¹⁹ who are LGBTQI+,²⁰ or have been exposed to violence, all end up in the youth justice system at disproportionate rates. Other systems, such as child welfare, education, and housing should work with the justice system to address these vulnerable family needs early and prior to justice

⁷ [RL33785.pdf \(SECURED\) \(congress.gov\)](#); [Voices-of-Youth-Report.pdf \(huduser.gov\)](#)

⁸ [Voices-of-Youth-Report.pdf \(huduser.gov\)](#); Exec Summary, iv.

⁹ [lgbtq-incarcerated-youth.pdf \(lgbtmap.org\)](#)

¹⁰ [RL33785.PDF \(SECURED\) \(CONGRESS.GOV\)](#)

¹¹ Id.

¹² [Puzzanchera, Charles; Hockenberry, Sarah; and Sickmund, Melissa. Youth and the Juvenile Justice System: 2022 National Report. Pittsburgh, PA: National Center for Juvenile Justice, 2022.](#)

¹³ OJJDP Statistical Briefing Book. <https://ojjdp.ojp.gov/statistical-briefing-book/crime/faqs/QA05101>. Released on 7/8/2022.

¹⁴ [Delinquency cases disposed | Office of Juvenile Justice and Delinquency Prevention \(ojp.gov\)](#)

¹⁵ [alternatives_to_detection_and_confinement.pdf \(ojp.gov\)](#)

¹⁶ [Puzzanchera, C. and Hockenberry, S. Patterns of Juvenile Court Referrals of Youth Born in 2000. Washington, D.C., U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention and National Institute of Justice, 2022.](#)

¹⁷ [CCAS-ChildWelfareSnapshot-508.pdf \(ccastates.org\)](#); [Literature Review: Intersection of Juvenile Justice and Child Welfare Systems | Office of Juvenile Justice and Delinquency Prevention \(ojp.gov\)](#)

¹⁸ *Supra*. Voices of Youth (HUD).

¹⁹ OJJDP Literature Review, “Intersection Between Mental Health and the Juvenile Justice System” (July, 2017), OJJDP Model Programs Guide: Washington, DC. Available online:

[intsection between mental health and the juvenile justice system.pdf \(ojp.gov\)](#)

²⁰ Christy Mallory et al., “Ensuring Access to Mentoring Programs for LGBTQ Youth” (The Williams Institute, January 2014), <http://www.nwnetwork.org/wp-content/uploads/2014/04/TWI-AccessstoMentoring-Programs.pdf>; Same-sex Couple and LGBT Demographic Data Interactive. (May 2016). Los Angeles, CA: The Williams Institute, UCLA School of Law.

system contact.

- **Out-of-Home Placement:** By 2021, youth incarceration had dropped 76 percent from 1997. More youth were being served in their communities with better outcomes. By treating children more like children, the number of youths in adult jails and prisons was reduced by 80 percent over the same timeframe.²¹ While these numbers fell for all youth, and at more rapid rates than for young adults, racial and ethnic disparities persist; youth of color were still 4–5 percent more likely than white youth to be detained for the same crimes. In 2021, an estimated 25,000 youth on a given day were in out-of-home placements pursuant to justice-system involvement.²² Unfortunately, youth continue to suffer abuse and harm in institutional placements.²³ Children in the juvenile justice or child welfare systems should be supported in their communities wherever possible. The child welfare system has decreased the number of youth placed in group homes or institutions by 6 percent since 2012, but as of 2021, 9 percent of foster youth remained in congregate care, representing 35,469 children.²⁴
- **Reentry:** Of the roughly 25,000 youth in residential placements every day,²⁵ nearly all return to the community. The young people coming out of placement and returning home, however, face high rates of homelessness, incomplete education, and barriers to careers and continued education.²⁶ In many cases, their physical and mental health needs are unaddressed and deteriorated.²⁷ Too often, youth experience trauma while they are in State custody and return home to parents and caregivers who lack the resources to support their children through this trauma.

EFFECTIVE AND PROMISING APPROACHES FOR JUSTICE-INVOLVED YOUTH

Research is clear that public safety is best served—and youth have the strongest outcomes over multiple dimensions—when young people are served in the community with the support of caring adults.

In 2013, the National Academy of Sciences produced the seminal report, “A Developmental Approach: Juvenile Justice Reform,”²⁸ highlighting the unique factors of adolescent development and brain science

²¹ [Juveniles Incarcerated in U.S. Adult Jails and Prisons, 2002–2021 | Bureau of Justice Statistics \(ojp.gov\)](#)

²² OJJDP Statistical Briefing Book. [One day count of youth in residential placement facilities, 1997–2021 | Office of Juvenile Justice and Delinquency Prevention \(ojp.gov\)](#)

²³ [Office of Public Affairs | Justice Department Finds Unconstitutional Conditions at Five Texas Juvenile Justice Facilities | United States Department of Justice; gao-08-346.pdf; gao-08-346.pdf](#)

²⁴ [Children in foster care by placement type | KIDS COUNT Data Center \(aecf.org\)](#)

²⁵ OJJDP Statistical Briefing Book. Online. Available: [One day count of youth in residential placement facilities, 1997–2021 | Office of Juvenile Justice and Delinquency Prevention \(ojp.gov\)](#)

²⁶ Development Services Group, Inc. 2017. “Juvenile Reentry.” Literature review. Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention. <https://www.ojjdp.gov/mpg/litreviews/Aftercare.pdf>

²⁷ [2023-prea-report-july-2023.pdf \(ojp.gov\)](#)

²⁸ National Research Council. *Reforming Juvenile Justice: A Developmental Approach*. Committee on Assessing Juvenile Justice Reform, Richard J. Bonnie, Robert L. Johnson, Betty M. Chemers, and Julie A. Schuck, Eds.

for justice-involved youth. The report also shares scientific literature demonstrating that the following three conditions are necessary to ensure the healthy development of adolescents:

- An involved and committed parent or caregiver invested in the young person's success.
- Involvement in pro-social peer groups and activities.
- Engagement in activities where youth can practice autonomous decision-making and critical thinking skills.²⁹

The earlier that society meets the preceding conditions in a young person's life, the better the young person's outcomes. Furthermore, research has shown that meeting these conditions for young people at home and in their communities is more effective than incarceration and reduces reoffending by youth. Programs that have been shown to be beneficial include Multidimensional Treatment Foster Care, Functional Family Therapy, Aggression Replacement Trainings, and Multi-Systemic Therapy.³⁰ It is important to note that to be successful, these evidence-based practices must be grounded in community and delivered with cultural competence.

Research has also found that more punishment and severe treatment does not lead to improved public safety.³¹ The Office of Juvenile Justice and Delinquency Prevention sponsored research on desistance, and it shows that young people will generally "age out of crime" in alignment with their brain development (around age 25 years).³² Treating these youth as if they were adults is not effective and may, through a variety of mechanisms, increase the likelihood of both recidivism and adult offending.³³ The adolescent brain places a heightened focus on fairness, and research shows that sanctions that young people view as unfair and illegitimate can undermine their long-term compliance with the law.³⁴

Research has increasingly shown that restorative justice provides developmentally appropriate off-ramps that increase empathy, improve cultural connectedness with family or community, and address harm more effectively than punishment.³⁵ When schools, families, and communities incorporate restorative practices into daily routines for youth, youth are able to build empathy, relationship skills and communication, and emotional sharing, all of which are necessary to prevent harm from happening.

Finally, the United States remains a global outlier in terms of its poor treatment of youth who come in contact with the law. Not only has the United States not become a signatory on the Convention of the Rights of the Child, but our punitive and extreme punishments and lack of constitutional protections are

Committee on Law and Justice, Division of Behavioral and Social Sciences and Education. Washington, D.C: The National Academies Press National Academies of Sciences, Engineering, and Medicine. 2013. *Reforming Juvenile Justice: A Developmental Approach*. Washington, D.C.: The National Academies Press.
<https://doi.org/10.17226/14685>.

²⁹ Id. p. 3.

³⁰ [Juvenile Justice in a Developmental Framework A 2015 Status Report.pdf \(modelsforchange.net\)](#), p. 10.

³¹ [250142.pdf \(ojp.gov\)](#)

³² Mulvey E. P., Steinberg L., Piquero A. R., Besana M., Fagan J., Schubert C., Cauffman E. Trajectories of desistance and continuity in antisocial behavior following court adjudication among serious adolescent offenders. *Development and Psychopathology*, 22(4), 971–971, 2010.

³³ [250142.pdf \(ojp.gov\)](#)

³⁴ *Supra*. National Research Council (2013).

³⁵ [restorative justice.pdf \(ojp.gov\)](#)

the exception.³⁶ To align with the rest of the world, the United States should adopt successful practices from the global community on ways to build a more effective, family centered, prevention-focused system.

ADOPTING AND STRENGTHENING THE CONTINUUM OF CARE

The juvenile justice field recognizes and supports a continuum of care for young people who are at risk of justice involvement and those who are justice involved. The continuum of care engages multiple agencies that support youth as early as possible. It is important to note that the Coordinating Council adopted this framework for its recommendations. Youth and their families should be able to access appropriate services prior to any justice system contact; those youth who become involved in the system should be able to access such services from any entry point as well as from any entry point in other systems (e.g., education, child welfare) that touch their lives. **The juvenile justice system should be the system of last resort, and partnerships with other agencies that meet the needs of vulnerable youth and families is critical.** For that reason, investments should occur upstream to ensure critical services are accessible and available for all children and their families.

Practitioner members note that all wedges of the continuum are not—nor should be—the same size. The prevention wedge should be much bigger, with a deeper investment of resources. Prevention is where most youth receive services and are appropriately served by other agencies; easy access to prevention services will minimize justice-system involvement and out-of-home placements.

Although referred to as a “continuum,” practitioner members emphasize that it is not the expectation that youth move through the entire range of services. The focus and emphasis of Federal resources and strategies should be on diversion or deflection opportunities, which could meet youth needs through services and supports to prevent or end further system involvement. For the few youth who do become justice-system involved, the guiding principles should be that youth are:

- Treated in the least restrictive environment.
- Held in the least restrictive setting when it is necessary to take them into custody.
- Stepped down to less-restrictive settings as soon as feasible when taken into custody.
- Met where their current needs are if they reenter the system, and they are not burdened and retraumatized by recounting for their past.

It is current practice that Federal and local jurisdictions spend the most resources on the least effective wedge of the continuum: out-of-home placement. Research is clear that this is the least effective and most expensive part of the continuum.³⁷ Thus, the Federal government has the opportunity to support approaches that ensure that this becomes the smallest wedge in the continuum, where we invest resources to ensure that we are maximizing interventions that help youth and commit no harm to them.

³⁶ [250142.pdf \(ojp.gov\)](#), p. 15, 2016.

³⁷ National Research Council (2014). *Implementing Juvenile Justice Reform: The Federal Role*. Committee on a Prioritized Plan to Implement a Developmental Approach in Juvenile Justice Reform, Committee on Law and Justice, Division of Behavioral and Social Sciences and Education. The National Academies Press.

Finally, it is imperative to recognize that many children are in multiple wedges in the continuum at once. These instances of multiple system involvement is a call for coordination, learning, and responsiveness among system providers, not for young people and their families. The Federal government is uniquely positioned to build responsive models and programs that tend to the needs of these young people and create unique pathways for them. There should be “no wrong door” to intervention.

FUTURE OPPORTUNITIES TO SUPPORT YOUTH

The practitioners on the Coordinating Council support recommendations made by the full Council and believe the Council’s priorities rightly center strategies that are developmentally appropriate, trauma-informed, community based, and culturally responsive.

Looking toward the future, the Council’s practitioners have identified the following additional opportunities that Federal government could support to ensure that youth have the necessary tools for success and encourage all families to thrive.

To be effective, strategies must explicitly benefit youth that are over-represented in the justice system, including Black, Indigenous, youth of color, LGBTQI+ youth, and youth with disabilities.

PREVENTION OPPORTUNITIES

The federal government should invest robustly in prevention services to ensure that youth get access to support and services as early as possible. There is no “wrong door” to service access, and families should be supported in alignment with their culture and in their communities. Opportunities for the future include:

- The Federal government should support families in caring for their children and youth so they can keep custody of them by including access to stable and safe housing, quality childcare, healthy food, and access to health care.
- The Federal government should incentivize States and localities to remove police from schools by increasing funding for alternatives to promote school safety and incentivize jurisdictions that use these alternatives, e.g., Positive Behavioral Interventions and Supports.
- Federal agencies should support healing approaches to build community and address harm by:
 - Allowing cultural healing practices to be reimbursed by Medicaid, such as sweat lodge ceremonies and using local roots, plants, and trees as medicine for ailments.³⁸
 - Supporting funding that addresses multi-generational healing and mentorship.
- The Federal government has the opportunity to expand Police-Mental Health Collaborations with youth-specific-strategies.³⁹
- Training and collaboration with Mental Health providers help law enforcement identify, understand, and respond to signs of mental illnesses and substance use disorders. Beyond the training, implementation strategies must include tools for diversion to cultural-centered, family supportive interventions.

³⁸ [Arizona seeks to cover traditional Native healing practices under Medicaid | Center For Rural Health](#)

³⁹ [Training | PMHC Toolkit | Bureau of Justice Assistance \(ojp.gov\)](#)

- The Consolidated Appropriations Act (2023) further invested in crisis response teams to attend to emergency calls for mental health and substance use issues. Expanding these to include specific training on alternative interventions for youth is a future opportunity.

DIVERSION AND INTERVENTION OPPORTUNITIES

The Federal government should divert or deflect youth from further entrenchment in the system by providing off-ramps from the justice system into appropriate services based on the needs of youth. Public safety should also be prioritized. These strategies should start with populations of over-represented youth, including actions taken by the following:

- The Departments of Justice, Health and Human Services, and Housing and Urban Development should issue joint guidance on best practices to minimize the number of youth who are detained/incarcerated in facilities due to their homelessness, and to prevent homelessness of youth once released from detention/incarceration.
- The Federal government should support strategies that keep families together whenever safe and possible by offering prevention and wraparound services for families referred to the child welfare system.⁴⁰
- The Federal government should provide funding through the Runaway and Homeless Youth Act (RHYA)⁴¹ to jurisdictions to develop and implement diversion programs specifically targeted at youth who come into contact with police in large part because the youth are experiencing homelessness.
- The Executive Branch should vigorously enforce the Olmstead Act to ensure that youth with disabilities are served in most integrated, community-based settings appropriate to their needs and wishes. The Executive Branch should also vigorously enforce the American with Disabilities Act to ensure youth with disabilities do not have to be institutionalized to access care.

OUT-OF-HOME PLACEMENT OPPORTUNITIES

Out-of-Home placements should be accessed as a last resort, and should be rare, fair and beneficial. Wherever possible, youth and their families should get services in their community. This is particularly true for populations that are over-represented in out-of-home placements. The Federal government should consider the following when examining out-of-home placement opportunities for youth:

- The Federal government should keep youth with disabilities out of secure facilities by exploring alternatives and ensuring youth do not end up incarcerated due to their disability.
- Congress should fund a Protection and Advocacy program specifically for juvenile justice-involved youth to ensure that that youth with disabilities are not unfairly and disproportionately placed into the juvenile justice system due to unmet needs related to their disabilities, to assist with data

⁴⁰ [Child Maltreatment 2021 \(hhs.gov\)](https://www.hhs.gov/child-maltreatment-2021)

⁴¹ [Runaway and Homeless Youth | The Administration for Children and Families \(hhs.gov\)](https://www.hhs.gov/child-maltreatment-2021)

collection and analysis of these cases, and to make certain these youth are treated fairly and humanely when they must be placed out of the home.

- Federal agencies should support pregnant and parenting youth who are detained/incarcerated. The Department of Health and Human Services and the Department of Justice could issue joint guidance on how to support pregnant and parenting youth who are detained/incarcerated to promote development of family bonds, facilitate the parent's involvement in decision-making regarding their child, and avoid termination of parental rights.
- The Federal government should both model and ensure youth in residential care are safe from harmful practices such as using isolation, restraints, and Oleoresin Capsicum ("pepper") sprays, and the government should ensure youth remain connected to family and community and are cared for by quality staff by providing incentive funding to States who are modeling this effectively to create protocols and staff training that can be applied to other States.
- The Federal government should ensure that Federal agencies (e.g., Bureau of Indian Affairs and Immigration and Customs Enforcement) monitor and comply with the JJDPA. Current law does not require Federal agencies to comply with the core requirements of the JJDPA. Federal facilities and facilities that hold youth pursuant to Federal contracts should be held to the same basic standards for youth protection that apply to States participating in the Title II Formula Grants program, and contracts should only be granted to States that are in compliance with the JJDPA.

REENTRY OPPORTUNITIES

Practitioner members make the following suggestions for the Federal government to consider when examining reentry opportunities for youth.

- Federal agencies (e.g., Department of Labor and Department of Justice) could open up opportunities for education and career opportunities for youth who have been justice involved. These opportunities could include resourcing legal services to help with record sealing, transferring school credits, and accessing higher education.
- The Federal government should ensure youth who are returning home have a safe and stable place to live by providing models of successful supportive living arrangements.⁴²

WORKFORCE OPPORTUNITIES

Finally, there is a dire need to have a highly qualified, specialized workforce that serves this population, from law enforcement to the judiciary, to staff in community-based organizations and out-of-home placements. At all points of contact in the youth justice system, youth-serving staff need regular, ongoing, and specialized training on adolescent development, the impact of trauma on that development, new interventions, and ways to respectfully engage families and youth as experts in their own needs for support, accountability, and growth.

⁴² [CCAS-YouthHomelessSnapshot-508.pdf \(ccastates.org\)](#)