



## Plenary 9: Touchpoint for Change: Youth Homelessness and Juvenile Justice Involvement

*Juvenile justice involvement is both a cause and consequence of youth homelessness. Both juvenile justice involvement and homelessness can have long-term impacts on the health, educational achievement, economic stability, and social-emotional well-being of youth.*

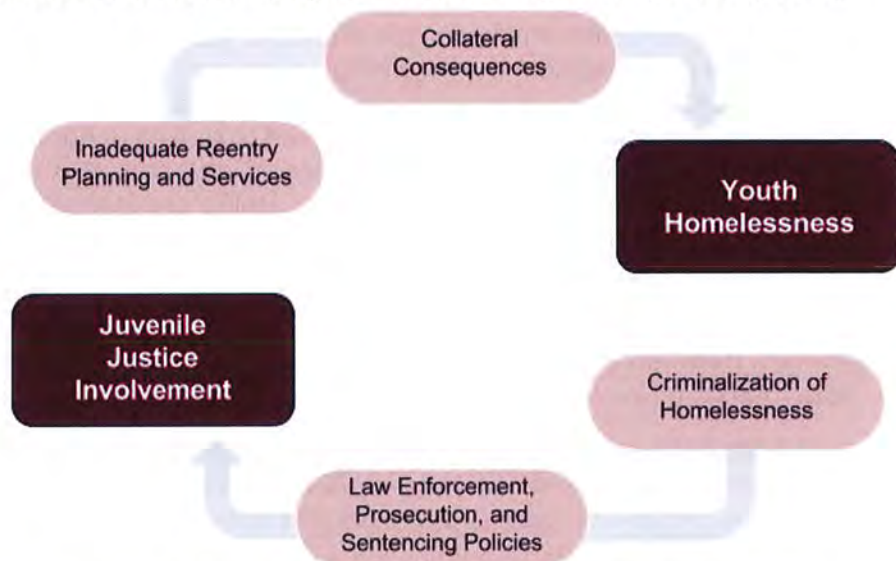
Each year, about 1 million youth under the age of 18 are arrested or are involved with the justice system. Approximately 35,000 juveniles are currently committed to juvenile facilities following an adjudication of delinquency. At the same time, approximately half a million unaccompanied youth and young adults experience homelessness each year.

Data on the overlap between these populations is limited, due in part to the utilization of different definitions of youth between the homeless system of care and juvenile justice system.

Youth involved with the juvenile justice system are especially vulnerable to housing instability, and youth experiencing homelessness are exposed to multiple risks of becoming involved with law enforcement and the justice system.

Additionally, Black; Latinx; lesbian, gay, bisexual, and transgender (LGBT+) youth; and youth involved in the child welfare system are disproportionately represented among youth experiencing both homelessness and juvenile justice involvement.

By adopting sound approaches, communities can reduce the likelihood that youth experiencing homelessness will face arrest and incarceration or that youth involvement in the justice system will result in homelessness.



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## Background on the Juvenile Justice System

Early in U.S. history, youth who broke the law were treated like adults. During the Eighteenth Century, children as young as 7 could stand trial in criminal court and be sentenced to prison or even death. In the Nineteenth Century, views began to change as children were perceived as having less than fully developed moral and cognitive abilities.

In 1899, the nation's first juvenile court was established in Chicago, with the rationale that the state should treat children differently than it treats adults: Because children were not of full legal capacity, the state had the inherent power and responsibility to provide protection for children whose natural parents were not providing appropriate care or supervision. Under this system, the welfare of the child was key. Rather than punishing youth for criminal offenses, juvenile courts sought to provide rehabilitation and treatment. Throughout the Twentieth Century, the U.S. Supreme Court has held that youth defendants are entitled to many of the same legal rights and protections as adults.

When juvenile delinquency rates rose in the 1980s and 1990s, many states adopted "tough on crime" policies that moved youth from juvenile to adult criminal courts for adjudication and punishment. To this day, a number of states have no minimum age for trying children as adults, and many youth have been given extremely long sentences.

Nevertheless, a fundamental principle of juvenile justice is that children are different than adults. The juvenile justice system is thus distinguished from the criminal justice system in important ways. In most states, children under the age of 18 are charged under delinquency statutes rather than criminal laws, and they are allowed to remain under the supervision of a juvenile court. As alternatives to prison or jail, a range of legal options is available to juvenile court judges to meet the treatment needs of youth. Unlike criminal proceedings, juvenile courts are often kept confidential so that children can avoid negative attitudes toward their involvement with the juvenile justice system.

Recent years have seen a major reduction in the number of teenagers committed to juvenile facilities. Between 2001 and 2013, the number of juveniles committed to juvenile facilities fell by more than half. Notably, this decline has occurred without causing a reduction in public safety.

### Resources

- [The Office of Juvenile Justice and Delinquency Prevention \(OJJDP\)](#): Provides national leadership, coordination, and resources for preventing and responding to juvenile delinquency and victimization
- [OJJDP Training and Technical Assistance \(TA\)](#): Website providing information regarding TA on juvenile justice involvement and how to request TA
- [Case Flow Diagram](#): From OJJDP; presents a visual summary of the juvenile justice system structure and process
- [FAQs](#) on the juvenile justice system structure and process from OJJDP
- [Youth Homelessness and Juvenile Justice: Opportunities for Collaboration and Impact](#): June 2016 issue brief from the Coalition for Juvenile Justice that explores the ways in which communities can work together and make a difference for justice-involved youth



## The Intersection of Youth Homelessness and Juvenile Justice Involvement

There are numerous ways in which experiences of homelessness and involvement with the juvenile justice system can intersect in youths' lives. Understanding the specific ways in which homelessness can lead to involvement with the juvenile justice system, and vice versa, can help communities define the local need, develop pointed interventions, and engage in effective collaboration with partners in law enforcement and the juvenile justice systems.

### CONTRIBUTING FACTORS: JUVENILE JUSTICE INVOLVEMENT AMONG YOUTH EXPERIENCING HOMELESSNESS

<b>Status Offense Laws</b>	Status offenses are laws that apply only to minors. Status offense behaviors vary by state but often include truancy, running away from home, failure to abide by the parent's rules (also known as incorrigibility), being in possession of alcohol and tobacco, and being out after curfew.
<b>"Quality of Life" Ordinances</b>	"Quality of life" offenses are public ordinances that regulate the use of public space. Quality of life offenses may include prohibitions on panhandling, eating, sleeping, or sitting in public places at certain times (such as parks, beaches, or certain other areas after dusk).
<b>Survival Crimes</b>	Survival crimes include acts such as theft or robbery to obtain food, trespassing to be in a safer or warmer place, or engaging in physical altercations to protect oneself while on the street.
<b>Victims of Sexual Trafficking and Exploitation</b>	Juvenile victims of sex trafficking and exploitation have protected status at the federal level but may at times be labeled and treated as criminals or juvenile delinquents at the state and local levels. As a result, they may be arrested and placed in juvenile detention facilities rather than provided with the necessary social and protective services.
<b>Crossover Youth</b>	Many youth cross over between the child welfare and juvenile justice systems or are "dually involved." They may be exiting one system and entering the other, or they may be involved with both systems at the same time and thus subject to dual jurisdiction. In particular, youth in the foster care system may lose their bed or placement as a result of juvenile detention. A lack of coordination between these systems, particularly in the context of transition planning during exits from one or both of the systems, can leave crossover youth vulnerable to homelessness.



### **Risk-taking Behaviors**

Youth experiencing homelessness may engage in risk-taking behaviors, such as substance use and sexual risk behaviors, that may be treated as criminal offenses. Unsheltered youth are particularly at risk of contact with law enforcement as a result of risk-taking behaviors by virtue of being in more public spaces.

### **Mental Health**

Youth with mental health needs who are experiencing homelessness may come into contact with law enforcement and be placed in or referred to the juvenile justice system rather than referred for community-based treatment interventions. Youth who are exiting the juvenile justice system with a mental health need may also face increased difficulties in finding stable housing, finding income, and overcoming trauma resulting from detention.

## **CONTRIBUTING FACTORS: HOMELESSNESS AMONG JUVENILE JUSTICE-INVOLVED YOUTH**

### **Housing Instability Prior to Involvement**

Youth may be experience housing instability before their involvement with the juvenile justice system. Many juvenile justice intake processes are not equipped to identify youth experiencing homelessness or housing instability, and there is limited, if any, tracking of housing instability as youth enter and exit the system.

### **Inadequate Re-entry Planning and Services**

Re-entry planning and services may not adequately ensure that youth are exiting to a safe, stable housing situation. Additionally, linkages may not be made with the necessary services and community-based interventions to address the range of health, housing, education, employment, and legal needs youth may have upon re-entry.

### **Family Conflict**

Involvement with the juvenile justice system may result from turmoil, instability, neglect, or abuse at home, making it unlikely or impossible for youth to return home after exiting the juvenile justice system. Justice involvement can also create or exacerbate family conflict, and youth may find their family unwilling to re-house them upon re-entry.

### **Collateral Consequences**

Because juvenile records are not automatically expunged or sealed, youth involved with the justice system may face collateral consequences as a result of justice involvement that inhibit access to housing, employment, and the resources and assistance they need. Disclosure of court records is discretionary with the judge in most jurisdictions, and in most states, the police keep a complete file of juvenile “police contacts” and have complete discretion regarding the disclosure of juvenile records.



## Resources

- [Addressing the Intersections of Juvenile Justice Involvement and Youth Homelessness: Working with Girls](#): 2017 report created by the Coalition for Juvenile Justice that discusses how experiences with homelessness can push girls into the juvenile justice system
- [Addressing the Intersections of Juvenile Justice Involvement and Youth Homelessness: Serving LGBTQ Youth](#): 2017 report created by the Coalition for Juvenile Justice that discusses how experiences with homelessness can push lesbian, gay, bisexual, transgender, questioning, and gender non-conforming (LGBTQ/GNC) youth into the juvenile justice system
- [Youth Homelessness and Juvenile Justice: Opportunities for Collaboration and Impact](#): June 2016 issue brief from the Coalition for Juvenile Justice that explores the ways in which communities can work together and make a difference for justice-involved youth
- [Future Interrupted: The Collateral Damage Caused by Proliferation of Juvenile Records](#): February 2016 report by the Juvenile Law Center providing information on the collateral damage caused by the proliferation of juvenile records and recommendations for legislative solutions to increase juvenile record confidentiality and opportunities for expungement
- [LGBTQ Youth Over-represented Across Juvenile Justice System, Experts Say](#): March 2014 article from the Juvenile Justice Information Exchange (JJIE)



## Principles for Change

In March 2017, Collaborating for Change, a project of the Coalition for Juvenile Justice and its partners—the National Network for Youth (NN4Y) and National League of Cities' (NLC) Institute for Youth, Education, and Families—produced [\*Addressing the Intersections of Juvenile Justice Involvement and Youth Homelessness: Principles for Change\*](#). The 10 “principles for change” provide a roadmap for communities to help young adults avoid experiencing juvenile justice system involvement, youth homelessness, or both.

### PRINCIPLES FOR CHANGE

**Principle 1:** Ensure that the laws and policies in your jurisdiction do not lead youth experiencing homelessness to be cited, arrested, or charged for survival acts or “quality of life” offenses.

**Principle 2:** Ensure that young adults are diverted from juvenile justice system involvement whenever possible and that any diversion programs or services are appropriately tailored to meet the needs of youth experiencing homelessness.

**Principle 3:** When juvenile justice system involvement cannot be avoided, ensure that comprehensive transition planning begins immediately after—and continues throughout—a youth’s confinement or probation supervision.

**Principle 4:** Ensure your community has both long- and short-term safe housing options available for youth who are, or who have been, involved with the juvenile justice system.

**Principle 5:** Ensure your community provides youth and their families with related services and supports that can help them obtain and keep safe and stable housing.

**Principle 6:** Ensure that youth and their families are not kicked out of their homes or denied housing because the youth have been arrested or adjudicated for a delinquency offense.

**Principle 7:** Ensure youth help lead and shape the identification and implementation of policy and practice solutions to address the connections between juvenile justice and youth homelessness.

**Principle 8:** Ensure that efforts prioritize LGBTQ+ youth, gender non-conforming (GNC) youth, youth of color, and other over-represented populations to address and reduce the disproportionalities that exist in the populations of youth experiencing homelessness who are involved with the juvenile justice system.

**Principle 9:** Ensure that law enforcement, courts, schools, and service providers employ gender-responsive, age-appropriate, and culturally appropriate trauma-informed responses when working with youth.

**Principle 10:** Undertake and fund research to help better understand the issue of youth homelessness and identify solutions.



## Decriminalizing Youth Homelessness

Youth experiencing homelessness can become involved with the juvenile justice system merely because they do not have safe and stable housing. Youth experiencing homelessness are particularly vulnerable to criminalization because they are subject to all the laws that apply to adults experiencing homelessness and also to laws that only youth face, such as truancy and curfew laws.

The criminalization of homelessness can not only have negative, long-term consequences for youth experiencing homelessness, but such laws and policies also often come at a greater cost to the public than investing in strategies to provide access to adequate housing and services. Communities can take steps at various levels to ensure that local laws and policies do not punish youth living in vulnerable circumstances but rather pursue interventions to support youth and help them achieve stability.

### FEDERAL INITIATIVES TO DECRIMINALIZE HOMELESSNESS



Beginning in 2015, the federal government started to take critical steps toward decriminalizing homelessness:

- The **U.S. Department of Justice (DOJ)** filed a brief in a case fighting a camping ban in Boise, Idaho, arguing that criminalizing homelessness is unconstitutional, and its Office of Community-oriented Policing Services reported that “Arresting people for performing basic life-sustaining activities like sleeping in public takes law enforcement professionals away from what they are trained to do: fight crime.”
- The **U.S. Interagency Council on Homelessness (USICH)** issued guidance saying that evicting homeless encampments without providing adequate alternative housing is never appropriate.
- The **U.S. Department of Housing and Urban Development (HUD)** inserted a new question into its application for a \$2 billion grant program giving local governments and organizations higher scores if they demonstrate they are preventing the criminalization of homelessness.

### POLICY AND PRACTICE

#### Policymakers

Youth experiencing homelessness should be connected with housing, supportive services, and community-based interventions for treatment and care, rather than being arrested for “quality of life” offenses. Laws and ordinances prohibiting sitting, sleeping, panhandling, loitering, or violating curfews in public should be repealed so that youth homelessness is not criminalized.

#### Courts

Youth should not be placed in detention due to a lack of housing. Similarly, courts should not detain youth experiencing homelessness pending trial due to their lack of a current address. Courts should avoid fines and fees for minors who are unable to work to repay them. Unpaid court debts create an additional hurdle for youth seeking employment and stable housing.



## **Schools**

Schools should comply with the requirements of state and federal law so that they meet the needs of youth experiencing homelessness and take advantage of related training and technical assistance. Youth should not be subject to school discipline for experiencing homelessness (e.g., for lack of access to clean laundry or reliable transportation).

## **Legal Services**

Youth should have access to legal counsel, even in non-delinquent cases, to help them avoid detention, fines, and fees.

## **Case Studies**

### **DAVIDSON COUNTY JUVENILE COURT (NASHVILLE, TN)**

Davidson County Juvenile Court, serving Metropolitan Nashville, has taken a number of steps to decriminalize and address youth homelessness, including the following:

- Decriminalize juvenile status offenses and most nonviolent misdemeanor delinquent offenses by handling them as “informal adjustment” cases, which do not result in juvenile petition, court costs, or a permanent juvenile record.
- Refer youth to an assessment team to identify the individualized needs of youth, and connect them with the appropriate services, including housing.
- Follow up on assessments with the identification of resources, case management, and other services, including housing and employment.
- Ensure that assessment reports are kept confidential, are protected from subpoena, and are unavailable to district attorneys, judges, government agencies, and police.
- Train staff on trauma-informed care, crisis prevention and intervention, LGBTQ issues, nonviolent communication, motivational interviewing, and issues related to poverty.

### **HOMELESS OUTREACH TEAM (SAN DIEGO, CA)**

San Diego’s Homeless Outreach Team (HOT) provides outreach to its local homeless community. The team comprises five police officers, two county psychiatric clinicians, and two county mental health eligibility technicians, and the city estimates that it helps approximately 700 individuals experiencing homelessness each year. According to Sgt. Richard Schnell, who leads HOT, his department’s efforts focus on communicating with and assisting San Diego’s homeless residents. The teams seek out and engage people experiencing chronic homelessness and, for those who are willing, place them in housing linked with the appropriate services.





## Resources

- **[Addressing the Intersections of Juvenile Justice Involvement and Youth Homelessness: Principles for Change](#)**: March 2017 report that examines the connection between juvenile justice and youth homelessness, recommends principles for helping young adults avoid homelessness and involvement in the justice system, and provides resources and examples for communities
- **[Adding Insult to Injury: The Criminalization of Homelessness and Its Effects on Youth](#)**: September 2015 report by the California Homeless Youth Project that documents the harmful effect of criminalizing homelessness for youth
- **[Youth Homelessness and Juvenile Justice: Opportunities for Collaboration and Impact](#)**: June 2016 issue brief from the Coalition for Juvenile Justice that explores the ways in which communities can work together to help justice-involved youth
- **[Searching Out Solutions: Constructive Alternatives to the Criminalization of Homelessness](#)**: June 2012 guidebook from USICH with strategies for reducing and ending the criminalization of homelessness
- **[Housing Not Handcuffs](#)**: A campaign initiated by the National Law Center on Homelessness & Poverty and the National Coalition for the Homeless to increase housing as an alternative to the criminalization of homelessness



## Prevention & Diversion from Juvenile Justice System Involvement

Researchers emphasize that criminal offenses committed by youth who run away or experience homelessness are frequently motivated by basic survival needs, such as food and shelter, the presence of adverse situations, such as hunger and unemployment, self-medication through the use of alcohol and drugs, and a lack of opportunities for legitimate self-support.

Rather than subjecting youth experiencing homelessness to arrest and detention, communities can develop prevention and diversion opportunities to ensure that youth receive services, including housing, education, employment, and other alternatives to meet their needs.

POLICY AND PRACTICE	
<b>Law Enforcement and Courts</b>	Public safety officers should ensure that youth are not arrested, charged, or otherwise brought into contact with the juvenile justice system for the sole purpose of providing services related to housing or homelessness. Youths' needs can be addressed through a wide range of services without the negative consequences associated with involvement and detention in the justice system. Law enforcement should take advantage of local drop-off options and alternatives to arrest for eligible offenses. Intake and judicial officers should consider whether youth are eligible for pre-court diversion or community-based services and should prioritize programs that provide case management or other services related to homelessness without requiring court involvement.
<b>Juvenile Justice Community-based Diversion Programs</b>	Youth should not be excluded from community-based diversion programs due to a lack of housing, inability to pay fees, or lack of resources (e.g., a phone) necessary to participate in alternatives to detention. Working with youth with lived experience and with service providers can help the juvenile justice system identify barriers and solutions to ensure youth experiencing homelessness are treated equitably.
<b>Schools</b>	Attending school can be critical for young people who are homeless to avoid contact with the juvenile justice system. Schools should use truancy review boards and other methods to identify and respond to reasons for missed classes (e.g., unmet special education needs) instead of filing truancy charges. Schools should employ supportive school discipline policies to reduce school push-out and address disruptive student behavior rather than resorting to suspension, expulsion, or law enforcement involvement. Schools should partner with community-based providers to provide support services for addressing the underlying causes of truancy and other behavior that could lead to court involvement.



## Legal Services

Attorneys and other advocates should help ensure that systems-involved youth are taking advantage of their legal rights, including immediate enrollment in school, transportation, and other services through the McKinney-Vento Homeless Assistance Act; family preservation or independent living; behavioral or physical health services through Medicaid; and Title IX protections, which guarantee equal education regardless of gender.

## Child Welfare

Child welfare systems should work closely with justice systems, the courts, and community-based providers to resolve any alleged offenses by youth without involvement in the justice system. Systems should evaluate their practices regarding adolescents to ensure they are receiving the same quality of services as younger children.

## Case Studies

### MINNESOTA STATE ADVISORY GROUP (SAG) (SAINT PAUL, MN)

Minnesota's State Advisory Group (SAG) is a cross-departmental effort to examine the intersection of youth homelessness and the juvenile justice system in five Minnesota counties: Hennepin, Ramsey, Dakota, Beltrami, and Kandiyohi.

The goal of this project is to produce policy and practice recommendations that address the following priorities:

- Develop a common definition of "at-risk youth," as well as a shared understanding of how to best serve them across systems.
- Establish better coordination among the three corrections supervision delivery systems to ensure consistency and effectiveness of transition services for youth.
- Prevent initial juvenile justice system involvement when possible, as well as reducing recidivism.

As a core advisory team, SAG brought stakeholders together to discuss and explore the issue; create a need statement, including the project's scope/scale and a work plan; and develop a survey tool, scope, and data sources. Ongoing technical assistance was provided by OJJDP's Center for Coordinated Assistance to States and the Center for Juvenile Justice Reform at Georgetown University to guide, refine, and focus their efforts.

### HOMELESS COURT (HOUSTON, TX)

Homeless Court (HC) is a special court session for defendants who are experiencing homelessness to resolve outstanding misdemeanor offenses and warrants within the City of Houston's municipal courts. It is based on the first homeless court program in the nation, created in San Diego in 1989, and it commenced operation in Houston in 2006. HC builds on partnerships between the court, local shelters, and service agencies to apply practical solutions to the problems that homelessness presents. Initial referrals to HC originate in shelters and service agencies and are submitted to the Coalition for the Homeless of Houston/Harris County. Court staff pull the dockets, and the presiding judge sets the court dates.



Key characteristics of the HC include the following:

- It works within the City of Houston municipal courts;
- It addresses the full range of misdemeanor offenses; and
- No one goes into custody.

## Resources

- **[Addressing the Intersections of Juvenile Justice Involvement and Youth Homelessness: Principles for Change](#)**: March 2017 report that examines the connection between juvenile justice and youth homelessness, recommends principles for helping young adults avoid homelessness and involvement in the justice system, and provides resources and examples for communities
- **[Preventing Homelessness Among Juvenile Justice-involved Youth](#)**: Presentation from the 2017 Coalition for Juvenile Justice Conference on strategies for preventing homelessness and juvenile justice involvement among youth, including legal guidance and a case study from Minnesota
- **[Youth Homelessness and Juvenile Justice: Opportunities for Collaboration and Impact](#)**: June 2016 issue brief from the Coalition for Juvenile Justice that explores the ways in which communities can work together to help justice-involved youth
- **[Best Practices in Interagency Collaboration: Youth Homelessness and Juvenile Justice](#)**: Fall 2011 Brief by the National Center for Homeless Education on the importance of collaboration between the juvenile justice system and the education system for youth experiencing homelessness



## Transition and Re-entry Planning for Youth in the Juvenile Justice System

Communities can improve transition planning for youth exiting the justice system. Successful re-entry for youth may require access to housing, health, education, employment, social, or legal services. Family and community services such as mediation or counseling can help youth reunify with their families without destabilizing the family home.

### JUVENILE JUSTICE SYSTEM: POLICY AND PRACTICE

Juvenile justice agencies should develop transition plans for youth who will be exiting the system. These plans should address the following:

- Long-term housing. Ensure the youth can safely return home and stay until adulthood or find a new place to live. Family counseling can help address high-conflict relationships. Landlord mediation can help address landlord concerns about additional family members on the lease or persons with a criminal history living on the premises.
- Intake assessments should be used to identify the risks related to housing and behavioral health needs. Youth should receive ongoing, research-based assessment, planning, and services throughout their involvement in the system.
- Transition planning should include a backup plan. Youth should have a crisis plan for what to do and who to call in case the “first choice” plan does not work.
- Transition plans must be individualized to address the particular needs and circumstances of young adults.
- Planning should occur in partnership with families (as defined by the youth involved), reflecting the reality of the young adults’ lives, such as where and with whom they feel safest.

Agencies should also ensure they are responsive to the needs of youth, including the following:

- Justice-involved youth who may have been involved with the child welfare system, particularly those close to aging out of foster care.
- Pregnant and parenting youth who may need extra support to address the needs of both themselves and their child/children.

### SCHOOLS: POLICY AND PRACTICE

Youth who are or have been involved in the juvenile justice system are eligible for McKinney-Vento education rights and services if they lack a “fixed, regular, and adequate nighttime residence” or are being released from detention into an above-defined unstable living situation. Youth are not eligible under the McKinney-Vento Act while they are incarcerated.

Non-incarcerated youth who are involved in any stage of the juvenile justice system, if eligible under the McKinney-Vento Act, have the right to the following:

- Receive the free, appropriate public education to which they are entitled.
- Be enrolled in school immediately, even if they are lacking documents normally required for enrollment.



- Enroll in the local attendance area school or continue attending their school of origin (the school they attended when permanently housed or the school in which they were last enrolled) if that is the parent's, guardian's, or unaccompanied youth's preference and is feasible. If the school district believes that the school selected is not in the student's best interest, then the district must provide the parent, guardian, or unaccompanied youth with a written explanation of its position and the opportunity to appeal its decision.
- Receive transportation to and from the school of origin, if requested by the parent, guardian, or unaccompanied youth experiencing homelessness.
- Receive educational services comparable to those provided to all other students, according to the youth's need.

Schools and juvenile justice agencies should partner on developing policies and practices to ensure that youth exiting the justice system are able to promptly re-enroll in school. Juvenile justice agencies should provide education in justice facilities that closely track with the education provided in public schools. Access to records should be improved so that youth can receive credit for studies undertaken in justice facilities and alternative placements.

## Case Studies

### MARYLAND DEPARTMENT OF JUVENILE SERVICES (BALTIMORE, MD)

The Maryland Department of Juvenile Services (DJS) is taking steps to ensure youth have sustainable housing following discharge. Included in their re-entry strategic plan are recommendations for identifying youth requiring alternative living arrangements and updated policies to support sound permanency planning, increase adult and youth participation, identify appropriate living arrangements, and require case management follow-up.

### VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES (WATERBURY, VT)

Vermont's youth justice system is part of its child welfare system. Therefore, all youth in custody receive the same level and quality of transition planning services provided to youth in foster care. The state contracts with county-based service providers to provide services to youth ages 14 and older, including assistance with maintaining housing, placement, and support with everyday necessities (e.g., obtaining a driver's license). The youth justice system contracts with statewide runaway and homeless youth service networks to prevent homelessness and prevent youth from entering foster care. Youth are also supported by statewide requirements. For permanency planning, youth should remain in their home school when possible and in their best interest. Additionally, there should be credit checks for youth 14 and older to protect them from identity theft. Vermont also has a statewide youth leadership and advisory group for individuals transitioning out of care.

### UNITED WAY OF THE MIDLANDS (COLUMBIA, SC)

United Way of the Midlands convenes a youth in transition initiative made up of more than 40 community agencies, organizations, individuals, and a youth advisory board. The group focuses on young adults who are homeless or at risk of homelessness, including those transitioning out of the juvenile justice system. Their work has led to the creation of new programs and services, including a pilot re-entry program, new transitional housing, and outreach services. A young adult passport provides service listings, tips, a pull-out map, and encouraging messages.



## Resources

- [Addressing the Intersections of Juvenile Justice Involvement and Youth Homelessness: Principles for Change](#): March 2017 report that examines the connection between juvenile justice and youth homelessness, recommends principles for helping young adults avoid homelessness and involvement in the justice system, and provides resources and examples for communities
- [Addressing the Intersections of Juvenile Justice Involvement and Youth Homelessness: Working with Girls](#): 2017 report created by the Coalition for Juvenile Justice that discusses how experiences with homelessness can push girls into the juvenile justice system
- [Addressing the Intersections of Juvenile Justice Involvement and Youth Homelessness: Serving LGBTQ Youth](#): 2017 report created by the Coalition for Juvenile Justice that explores how LGBTQ youth are more likely to be involved with the justice system and to experience homelessness
- [Youth Homelessness and Juvenile Justice: Opportunities for Collaboration and Impact](#): June 2016 issue brief from the Coalition for Juvenile Justice that explores the ways in which communities can work together to help justice-involved youth
- [Racial Disparities in Youth Commitments and Arrests](#): April 2016 report from The Sentencing Project that reviews the nationwide and state-by-state status of racial and ethnic disparities in youth incarceration and the likely impact of growing racial disparities in arrests
- [Adding Insult to Injury: The Criminalization of Homelessness and Its Effects on Youth](#): September 2015 report by the California Homeless Youth Project that documents the harmful effect of criminalizing homelessness for youth
- [National Standards for the Care of Youth Charged with Status Offenses](#): September 2014 report developed by the Coalition for Juvenile Justice in partnership with the National Council of Juvenile and Family Court Judges to assist in the development of local and state system responses to youth at risk for, or charged with, status offenses and their families
- [Alone Without a Home: A State-by-State Review of Laws Affecting Unaccompanied Youth](#): September 2012 report from the National Law Center on Homelessness and Poverty and the National Network for Youth (NN4Y) that contains a state-by-state examination of laws that can lead to youth involvement with the justice system
- [Best Practices in Interagency Collaboration: Youth Homelessness and Juvenile Justice](#): Fall 2011 Brief by the National Center for Homeless Education on the importance of collaboration between the juvenile justice system and the education system for youth experiencing homelessness



## Juvenile Justice System Touchpoints: Potential Partners

The juvenile justice system and process provide a number of touchpoints where prevention, diversion, and rehabilitation services can support youth in overcoming homelessness and systems involvement. CoCs should work with justice partners to collaboratively combat the criminalization of homelessness, increase access to diversion and alternatives to systems involvement for youth, expand evidence-based housing and services, and reduce barriers to housing, employment, and services for juvenile justice-involved youth.

### POTENTIAL JUSTICE PARTNERS IN YOUR COMMUNITY

#### **Law Enforcement**

For a CoC beginning to build connections with the juvenile justice system, law enforcement should be a first point of entry. Law enforcement can make the decision to divert youth from the formal justice system, usually to alternative programs. Law enforcement may also partner with schools, behavioral and public health agencies, runaway and homeless youth service providers, child welfare agencies, and community-based services to increase support for youth who are homeless or involved in the juvenile justice system. Collaboration can range from requesting training (e.g., on positive youth development and legal rights) to initiating joint response protocols and programs.

#### **Juvenile Defenders and Civil Legal Service Providers**

Juvenile defenders should advocate for youth to be diverted from court involvement whenever possible and for services to address housing and other needs. Juvenile defenders and civil legal service providers can partner with homelessness advocates and service providers to help identify appropriate services for juvenile justice-involved youth with the goal of preventing youth homelessness. Legal services should be provided to meet the needs of youth experiencing homelessness or who are at risk of homelessness due to past juvenile justice involvement. These needs can include juvenile record sealing or expungement, assistance accessing public benefits or obtaining identification documents, or filing emancipation petitions.

#### **Prosecutors**

The prosecution has the ability in many states to determine whether to prosecute a youth accused of a crime in either juvenile or adult court (if both courts have jurisdiction). Prosecutors should support prosecution, if at all, in juvenile court, where judges exert more discretion and flexibility in sentencing and often assign consequences that prioritize rehabilitation over punishment.





### Juvenile Court Judges

Juvenile court judges should support policies that ensure youth who lack stable and secure housing are provided with appropriate and adequate services when they come to the attention of the juvenile justice system. Juvenile court judges can also oppose the criminalization of youth for behaviors that resulted from lack of safe and stable housing and instead support policies that divert youth who commit “survival crimes” from the justice system to services that meet their basic needs.

### Juvenile Justice Advisory Groups

Juvenile Justice State Advisory Groups can help craft effective responses to juvenile crime and justice involvement, prevent youth from entering or re-entering the juvenile and criminal justice systems, and establish collaborative relationships with local systems. CoCs should ensure that State Advisory Groups consider and address issues related to homelessness in their work and are including youth with lived experience on their boards.

### Probation and Parole Officers

Probation and parole officers should ensure that when the juvenile justice system cannot be avoided, youth are provided with case management and comprehensive transition planning, including addressing long-term housing stability and other needs (e.g., mental health, substance use). Parole officers should also work within a coordinated re-entry system and connect youth with community services.

## Case Studies

### [LOUISVILLE 100-DAY CHALLENGE TO END YOUTH HOMELESSNESS \(LOUISVILLE, KY\)](#)

In 2017, the Louisville 100-day Challenge to End Youth Homelessness facilitated a strong new cross-systems partnership with the Louisville Metro Police Department (LMPD). The Louisville 100-day Challenge team developed relationships and procedures for collaborating with LMPD, building trust between the homeless response system and local law enforcement and incorporating police officers into local outreach efforts for youth. Through a partnership with LMPD and Starbucks, Louisville became the second city in the country to implement a [Safe Place](#) program for LGBTQ victims of hate crimes. Additionally, in January 2017, [Restorative Justice Louisville](#) expanded the eligibility age for two of its programs in courtrooms in Louisville to serve transition-age youth.

### [BILL WILSON CENTER \(SANTA CLARA, CA\)](#)

Bill Wilson Center has been working on the county level with the Juvenile Probation Department to support their efforts in keeping youth under 13 years of age out of Juvenile Hall. Bill Wilson Center’s crisis residential program has been designated as an alternative for providing housing and services to this population pending adjudication. The Juvenile Probation Department has increased its efforts by obtaining a grant to conduct a thorough mental health assessment on



these youth within 24 hours and using multidimensional treatment foster care (MTFC), a behavioral treatment alternative to residential placement for youth.

Bill Wilson Center also works closely with juvenile probation and the San Jose Police Department in diverting youth from further involvement in the juvenile justice system through a restorative justice program and direct referral program (DRP). The DRP was established to provide services to youth ages 14 and younger for first-time offenses to prevent re-offending. Juvenile probation places adjudicated youth into MTFC homes as an alternative to incarceration.

## Resources

- [Preventing Homelessness for System-involved Youth](#): March 2018 article on how courts can and should prevent, alleviate, or end homelessness for youth
- [Resolution Addressing the Needs of Homeless Youth and Families in Juvenile and Family Courts](#): July 2017 resolution by the National Council of Juvenile and Family Court Judges that establishes a leadership role for juvenile and family courts to reduce the chances that youth will enter the child welfare or juvenile justice system because of homelessness or leave these systems and become homeless
- [Addressing the Intersections of Juvenile Justice Involvement and Youth Homelessness: Principles for Change](#): March 2017 report that examines the connection between juvenile justice and youth homelessness, recommends principles for helping young adults avoid homelessness and involvement in the justice system, and provides resources and examples for communities
- [Ending Youth Homelessness Guidebook Series: Mainstream System Collaboration](#): August 2016 HUD publication for the YHDP on coordinating with mainstream systems to design and implement an effective system for preventing and ending youth homelessness
- [National Standards for the Care of Youth Charged with Status Offenses](#): September 2014 report developed by the Coalition for Juvenile Justice in partnership with the National Council of Juvenile and Family Court Judges to assist in the development of local and state system responses to youth at risk for or charged with status offenses and their families



## Appendix A: Relevant Federal Housing and Crisis Resources to Help Communities End Youth Homelessness<sup>1</sup>

### NON-TARGETED RESOURCES FOR PREVENTING AND ENDING HOMELESSNESS

#### **Law Enforcement and Behavioral Health Partnership for Early Diversion**

Funds tribal, state, and local governments to establish or expand programs that divert adults with a serious mental illness (SMI) or co-occurring mental and substance use disorders from the criminal justice system to community-based services prior to arrest and booking.

#### **Offender Reentry Program**

Funds domestic public and private nonprofit entities to expand substance use disorder treatment and related recovery and reentry services to sentenced adult (18 years of age or older) offenders/ex-offenders who are returning to their families and community from incarceration in state and local facilities, including prisons, jails, and detention centers.

#### **Transitional Housing Assistance to Victims of Domestic Violence**

Funds state, tribal, and local governments, as well as other eligible applicants, to provide 6–24 months of transitional housing and other support services to victims of domestic violence, dating violence, sexual assault, or stalking.

<sup>1</sup> U.S. Interagency Council on Homelessness. (2018, May). *Non-targeted federal programs that can help communities end youth homelessness*. Retrieved from [https://www.usich.gov/resources/uploads/asset\\_library/nontargeted-programs-for-ending-youth-homelessness.pdf](https://www.usich.gov/resources/uploads/asset_library/nontargeted-programs-for-ending-youth-homelessness.pdf)



## Appendix B: Resources on Youth Victims of Sexual Trafficking and Exploitation

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*The following resources provide information and resources for meeting the needs of youth experiencing homelessness who have been the victims of sexual trafficking and exploitation. These resources can assist your community in developing strategies and services to meet the needs of this population of focus in your coordinated community plan to prevent and end youth homelessness.*

### **[U.S. Department of Justice \(DOJ\) Office of Juvenile Justice and Delinquency Prevention \(OJJDP\): Commercial Sexual Exploitation of Children](#)**

This webpage provides a definition of commercial sexual exploitation of children (CSEC) and examples of DOJ and OJJDP efforts to combat the sexual exploitation of children:

- **[Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States](#)**: This OJJDP-sponsored report examines current approaches to addressing the commercial sexual exploitation of children, identifies causes and consequences for both victims and offenders, and highlights recommendations to prevent, identify, and respond to these crimes.
- **[National Strategy for Child Exploitation Prevention and Interdiction](#)**: This report by the DOJ, first published in 2010 and updated in 2016, identified innovative ways in which the federal government and its partners can address child exploitation and reaffirms the department's and its partners' unwavering commitment to ensuring that all children in America are able to reach their potential in a nation that protects them from violence and abuse.
- **[Internet Crimes Against Children Task Force Program \(ICAC program\)](#)**: Established in 1998, this program helps state and local law enforcement agencies develop effective responses to technology-facilitated child sexual exploitation and internet crimes against children. This assistance encompasses forensic and investigative components, training and technical assistance, victim services, and community education. The ICAC program is a national network of 61 coordinated task forces representing more than 3,500 federal, state, and local law enforcement and prosecutorial agencies.
- **[AMBER Alert Program](#)**: With OJJDP funding, the National Center for Missing & Exploited Children and Fox Valley Technical College provide services through the AMBER Alert Program. The Office of Justice Programs' Assistant Attorney General serves as the National AMBER Alert Coordinator. Services provided include the training of law enforcement personnel, secondary distribution of AMBER Alerts, and development of resources specifically for Indian Country where practitioners who live and work in tribal communities and understand the unique dynamics of protecting children in tribal areas design and deliver programs.
- **[OJJDP Mentoring FOR Child Victims of Commercial Sexual Exploitation and Domestic Minor Sex Trafficking Initiative](#)**: Supports organizations that respond to the needs of child victims of commercial sexual exploitation and domestic sex trafficking; this initiative has two components: project sites and training and technical assistance



- Project sites develop or enhance their mentoring capacity, facilitate outreach efforts, and increase the availability of direct services for child victims (17 years old or younger) of commercial sexual exploitation and domestic sex trafficking. Currently, project sites are located in Boston, Massachusetts; Milwaukee, Wisconsin; Miami, Florida; Wichita, Kansas; El Paso, Texas; and Oakland, California.
- The Mid-Atlantic Network of Youth and Family Services (MANY) provides training and technical assistance to project sites.
- **OJJDP Missing and Exploited Children Training and Technical Assistance Program**: Provides multidisciplinary training and technical assistance to prosecutors, state and local law enforcement, child protection personnel, medical providers, and other child-serving professionals to strengthen multidisciplinary responses to and improve the prosecution of child victimization cases; the first two curriculums under development are *Multidisciplinary Team Training for Commercial Sexual Exploitation of Children* and *Child Abuse and Exploitation Investigation*
- **National Judicial Institute on Domestic Child Sex Trafficking**: Created by the National Council of Juvenile and Family Court Judges, along with a curriculum to help judicial officers better understand the dynamics of domestic child sex trafficking, the applicable laws and legal considerations involving trafficking victims, and how to identify children at risk of or being trafficked and how to connect them with appropriate services
- **Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States 2013–2017**: Five-year plan to further strengthen coordination, collaboration, and capacity across government and nongovernment entities that support victims of human trafficking
- **OJJDP National Training and Technical Assistance Center**: Supports the juvenile justice field through webinars and the dissemination of information on various topics related to child sex trafficking and child exploitation
- **CyberTipline**: Receives leads and tips regarding suspected incidents of sexual exploitation committed against children

### **Labor and Sex Trafficking Among Homeless Youth: A Ten-City Study Executive Summary (April 2017)**

**Synopsis:** This study provides a detailed account of labor and sexual exploitation experienced by youth experiencing homelessness in Covenant House International's care in 10 cities.

### **Field Center Completes Multi-City Study on Child Trafficking Among Homeless Youth; Identifies Risk and Resilience Factors (April 2017)**

**Synopsis:** This is a summary of results from a 3-city study to learn about the prevalence of child trafficking and the history of child maltreatment, out-of-home placement, and resilience factors among those who were sex trafficked or engaged in the sex trade to survive.



### **Shining Light on the Commercial Sexual Exploitation of Children: A Toolkit to Build Understanding (January 2017)**

**Synopsis:** [Wichita State University Center for Combating Human Trafficking](#) and [MANY](#), in partnership with OJJDP, developed this toolkit as a resource for multidisciplinary professionals, policymakers, volunteers, faith communities, and others involved in anti-trafficking work. The toolkit provides information on a variety of topics related to human trafficking with a specific focus on mentoring for commercial sexual exploitation victims. In one easy-to-access location, the toolkit provides information about emerging research and best practices along with implications for practice at the individual, program, and community levels.

### **Youth Involvement in the Sex Trade: A National Study (March 2016)**

**Synopsis:** This report presents findings from nearly 1,000 youth interviews conducted across six sites, including a population estimate for underage youth in the sex trade in the United States, arrest patterns and prosecution and recidivism outcomes for these youth when they encounter the juvenile or criminal justice systems, and findings from interviews with service providers and police officers. The findings revealed that youth who are engaged in the sex trade are a diverse population in their identities and experiences. More than three-quarters of those interviewed had their first experience in the sex trade when they were under the age of 18. Many reported having complex social relationships and collaborations with others in the underground economy. Notably, the most pressing need identified by both the youth and service providers was for safe housing.



## Profiles in Preventing and Ending Youth Homelessness: Juvenile Justice

*The following profiles on juvenile justice have been curated from the Coordinated Community Plans of Round 1 YHDP grant recipients, as well as from information provided by communities that have accepted the 100-day Challenge to End Youth Homelessness, an initiative made possible through funding from the U.S. Department of Housing and Urban Development (HUD).*

### Cincinnati/Hamilton County, OH

The Hamilton County Juvenile Court, The Children's Law Center, and other justice-related partners are committed to specific strategies to support youth at risk of or experiencing homelessness with juvenile justice involvement. The Youth Workgroup affirms that confinement is not a solution or alternative to lack of housing for young people. Cincinnati is committed to implementing strategies for the two groups of youth most affected by the justice and homelessness systems:

1. Youth who end up in the juvenile justice system because they are homeless or facing homelessness (e.g., youth who commit homelessness-related crimes—curfew, survival theft and sexual activity, truancy, etc.) and
2. Youth who face homelessness upon release from the juvenile justice system (e.g., family relationship deteriorated during pendency of case, family has become homeless while in placement, family lives in housing situation to which youth cannot return due to criminal record).

Strategies for addressing the unique challenges of youth experiencing both homelessness and juvenile justice involvement include bolstering partnerships and transparency between the juvenile justice, child welfare, and homeless serving systems in greater Cincinnati. Anecdotally, many youth remain in detention centers because they lack a suitable placement. This indicates a need to begin collaborative housing and placement planning long before discharge from juvenile justice custody, placement, and supervision. This issue will be further addressed by strengthening communication and linkages between the child welfare and juvenile justice systems, as well as prioritizing and initiating housing plans upon entry into the juvenile justice system. Children's Law Center, a YHDP partner organization, is leading conversations with key stakeholders on this topic to improve housing outcomes for this population of youth.

The primary strategies for addressing the intersection of juvenile justice and homelessness center around improving data quality and transparency in the community. Current data gaps include the limited assessment of homelessness upon entry into the justice system. This will be addressed by strengthening relationships with the juvenile court and adding housing stability related items to their intake assessment. Limited data linkages between systems can be overcome by expanding the Cincinnati/Hamilton County data dashboard to include juvenile justice data in addition to the Homeless Management Information System (HMIS) data. This inclusion will allow better assessment of disparities in housing-related outcomes associated with juvenile justice involvement, as well as potential racial disparities in arrest and diversion.



Developing a public-facing data dashboard will provide an opportunity for community-wide reflection, accountability, and advocacy for housing outcomes of justice-involved youth.

Existing community partnerships will support strategies in this area. Hamilton County Juvenile Court has increased diversions by 17 percent over the past 10 years; in 2016, juvenile court diverted 483 youth from detention to shelter placement with Lighthouse Youth and Family Services. Meanwhile, Hamilton County Jobs and Family Services, in partnership with Cincinnati Public Schools, reported a 100 percent graduation rate for the 2015/2016 school year for students enrolled in Kids in School Rule, a program that supports students in the custody of or under the supervision of Hamilton County Job & Family Services.

As part of Cincinnati/Hamilton County's YHDP policy agenda, the community has identified criminal charges that impact youth experiencing homelessness. Advocacy efforts are moving forward on these topics to limit the criminal impact of homelessness both locally and statewide. The Youth Dedicated Services Team will be trained to identify and meet the specific needs of young people with justice involvement and assist with appropriate system navigation strategies, case planning, and identified housing needs.

## Anchorage, AK

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In 2016, the Alaska Legislature passed a large reform mandate, Senate Bill 91 (SB 91), a comprehensive criminal justice reform effort that reduces sentencing lengths for nonviolent offenders and reinvests savings into programs that increase the likelihood of success outside of the correctional system. These reinvestments include increasing case management services to help those reentering the community from corrections connect with behavioral health treatment and access housing and other community-based supports.

## Connecticut Balance of State

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Connecticut's juvenile justice system is managed through a partnership between the Department of Children and Families (DCF) and the Judicial Branch, particularly the branch's Court Support Services Division (CSSD). A variety of agencies and organizations carry out specific programs related to the system, including the Department of Education, the Department of Corrections, the Department of Mental Health and Addiction Services, and municipally run Youth Service Bureaus, in addition to a wide network of youth development organizations throughout the state.

Connecticut Public Act 14-217, Section 79, established a Juvenile Justice Policy and Oversight Committee (JJPOC) to evaluate policies related to the juvenile justice system. The committee consists of legislators, officials from juvenile justice, law enforcement, education, and mental health, as well as advocates from the youth-serving areas. Housing stability of children, youth, and their families has been identified as a major concern, and there is work on a data development and collection plan for the risk of homelessness among children and youth involved in the juvenile justice system. The Partnership for Strong Communities (PSC) and the Center for Children's Advocacy (CCA) work with the JJPOC to build housing services and supports into the Committee's recommendations/plans, including strategies for utilizing housing stability as a foundational approach for reducing recidivism and increasing diversion from both the juvenile and adult justice systems.





PSC and CCA also serve on the Advisory Board for *Collaborating for Change: Addressing Youth Homelessness and Juvenile Justice* to inform the direction of national policy and system recommendations and technical assistance resources. In addition, to engage stakeholders in discussion around these issues, PSC hosted a statewide forum with approximately 200 stakeholders in May 2017 on justice involvement and housing instability. Both DCF and CSSD are members of the Youth and Young Adult Homelessness workgroup. This cross-collaboration ensures key partners are considering the interrelationship between homelessness and juvenile justice when pursuing youth policies and programs.

### Key Strategies

- Build on and refine the community's base of research and data to fully understand the scope and nature of the problem and to effectively target interventions.
- Integrate housing solutions into discharge planning from juvenile justice and child welfare systems, ensuring youth are not released into unsafe or unstable living situations that could lead to homelessness. Ensure that case management and discharge planning include elements that will assist youth in maintaining housing: employment/ educational connections, family mediation, among others.
- Fill the gaps in the housing continuum so that youth have access to safe housing at all times, which diverts youth from the juvenile and criminal justice systems.
- Identify and begin to plan for housing needs immediately upon entry.
- Continue to include housing solutions in the plans and recommendations of the state's JJPOC.
- Reduce barriers to housing for those with criminal records, including public housing policies that prohibit successful re-entry, disconnect families, and ultimately increase recidivism.
- Advocate for a juvenile justice record erasure law to help prevent youth from experiencing collateral consequences of juvenile court involvement, which can lead to homelessness.
- Create targeted service approaches for "dual status" or "crossover youth" given their vulnerability.
- Educate juvenile justice providers about the educational legal rights of students experiencing homelessness to ensure students remain in school and receive all necessary supports to help prevent juvenile justice involvement.
- Increase coordination between juvenile justice providers and the homeless system's Youth Engagement Team Initiatives (YETIs). YETIs should include juvenile review boards and juvenile justice re-entry programs to help develop local resources and strategies.
- The Youth and Young Adult Workgroup is convening a new Engaged Systems to Prevent and End Youth Homelessness Subgroup that will focus on addressing the prevention of homelessness through systems collaboration, including serving the needs of youth involved in the juvenile justice system. The Reaching Home Campaign also created a Criminal Justice Taskforce to tackle system issues related to the adult criminal justice system with a first phase that focuses on 18- to 24-year-old youth.



## Louisville, KY (100-day Challenge)

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The Louisville 100-day Challenge to End Youth Homelessness facilitated a strong new cross-system partnership with the Louisville Metro Police Department (LMPD). The Louisville 100-day Challenge Team developed relationships and procedures for collaborating with LMPD, building trust between the homeless response system and local law enforcement, and incorporating police officers into local outreach efforts for youth. As a result of these relationship-building efforts, “coffee with a cop”—an existing event between police and community providers to share information and resources—developed a focus on youth and became part of Louisville’s efforts to prevent and end youth homelessness. Louisville provided HMIS access to new cross-system partners, including LMPD and Jefferson County Public Schools, to more effectively track youth experiencing homelessness and therefore more quickly find and help them.