Juvenile Justice Should Not Be for Profit

H. Ted Rubin

Israel Bans Private For-Profit Prisons

As I was working to update more than 40 of my Juvenile Justice Update articles for a pending compilation, a next book to be known as Juvenile Justice: Policies, Practices, and Programs 2, I came across a startling Israeli Supreme Court Decision. That Court held in late 2009 that private for-profit prisons were unconstitutional.

I had been surfing Israeli juvenile justice to find, distill, and tack on developments there to add as a note to my 2004 article in this publication, Juvenile Justice in Israel: A Heart and a Soul, when I came across this decision, and the lights went on. The decision, plus awareness of certain other juvenile justice matters pertinent to for-profit services in the U.S., prompted me to place in writing an old concern—that for-profit facilities are not good for us.

The Israeli court ruled 8-1 that for the state to transfer authority for managing a prison to a private contractor whose aim is monetary profit would severely violate the prisoners’ basic human rights to dignity and freedom. The court found that a private prison would hold invasive authority over prisoners, and that deprivation of one’s liberty loses its legitimacy when it takes place in a prison whose purpose is to make money. The decision overturned a Knesset law that had authorized establishing private prisons, and enjoined any use of the initial prison that had already been built but had not yet opened. It was reported the government would purchase the prison and reimburse would-be operators for both construction expenses and expected profits.1

The Author Opposes For-Profit Institutions

I am not the only one who urges that juvenile justice system services be provided by governmental and non-profit agencies, and that we not contract with for-profit institutions to serve our youth. As one supportive example, the Presbyterian Church USA approved a 2004 resolution that determined earning a profit for shareholders was in fundamental conflict with the concepts of rehabilitation and restorative justice, and that for-profit juvenile and adult institution should be abolished.2

Other religious entities have officially opposed for-profit prisons ... The United Methodist Church (“... greater allegiance to the profit motive than to public safety and to restorative justice for offenders, crime victims, and local communities”) and the Southern Catholic Bishops...
MM: That seems to me to be critically important. Many other stakeholders in the juvenile justice world receive information and training on juvenile brain development, and police clearly need this information, too.

**Change Emphasis From Arrest and Punishment**

LT: The vision grows out of the belief that our country’s emphasis on arrest and punishment does not serve kids’ or communities’ needs. We’re hoping to redirect the source of the river of kids flowing into those systems by working with police and demonstrating there is a better way.

MM: It seems to me this is more important than ever today when so many public schools have police on campus. What do you think?

LT: We are seeing more police in kid’s lives. There are now 17,000 police officers stationed in our nation’s public schools. For cultural reasons, and because of losses in social services, police are increasingly the first responders to incidents dealing with kids. But remarkably, American police, who deal with kids in extremis and distress—abuse and neglect, domestic violence, community violence, mental health crises, juvenile delinquency and victimization—are not trained in child or adolescent development, trauma and its effects on behavior, much less any understanding of the juvenile justice system.

**Policing the Teen Brain**

MM: How does SFY work with police to reduce arrests?

LT: First, we offer police trainings called “Policing the Teen Brain” in which we use brain science to, as columnist Jerry Largé put it, “connect the badge to the brain.” We usually base department trainings on an assessment of the quality of officers’ interactions with teens. These police trainings focus on giving officers demographic, cultural, and developmental information on teens. We give them very practical strategies for asserting authority effectively without force or arrest. And we focus a lot on implicit bias issues—how officers tact (DMC). Our goal is to make a change with police respond to children and youth. This idea grew out of the belief that police would benefit from the latest scientific insights into how the juvenile brain is different and needs to be treated differently.


MM: Marion Mattingly talked with Lisa Thurau in late June when Thurau was in Baltimore, Maryland, and she shares that discussion about SFY with us.

Marion Mattingly: I have heard about the good work that Strategies for Youth (SFY) does with Police, and think our readers will be very interested in learning about it. What is the purpose of the organization?

Lisa Thurau: SFY is a national organization dedicated to improving police-youth relations. We work to expand police skills and information dedicated to improving police-youth relations. We work to expand police skills and developmental information on giving officers demographic, cultural, and implicit bias issues—how officers touched (DMC). Our goal is to make a change with police respond to children and youth. This idea grew out of the belief that police would benefit from the latest scientific insights into how the juvenile brain is different and needs to be treated differently.

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need to recognize bias in themselves and how to respond to youth who accuse officers of racism.

MM: How do you do this?
LT: All our trainings are team-taught with psychiatrists from the Child and Adolescent Psychiatry Department at Massachusetts General Hospital (MGH). Since these doctors can’t wear guns to deal with extremely upset youth, it demonstrates powerfully that there are verbal psychological tactics that can de-escalate situations without force or cuffs. With Dr. Jeff from MGH, we developed a very visual curriculum, which explains that because youth perceive and process differently they are going to respond differently. We demonstrate this in myriad ways. One of the most exciting things we developed was a series of films in which a “youth” with a mental health issue (actually, MGH’s Dr. Mona Patel) interacts with an officer. We ask officers to guess what the name of the mental health issue is and, typically, very few can.

MM: Tell me more about the training sessions. How many members are there on a training team?
LT: The doctors do travel to the police departments we train, and our team varies in size depending on the special issues a department may have that we think we can address. We’re hoping to start offering these courses for officers at MGH.

Our team always involves “teaching assistants.” These are youth who we ask to act like they would normally or like they’ve seen other youth do in skits. Their job is to explain to the officers in the room why they did or didn’t comply with the officer in the skit. That’s generally the high point of the training—it all comes together.

In the future we’re hoping to offer more generalized training courses for officers with MGH in Boston.

Training Results in Fewer Arrests

MM: What kind of impact has the training had within police departments?
LT: Well, our proudest achievement is the reduction of juvenile arrests in one urban police department from 680 in 2001 to 74 in 2009. After working with SFY, this department has become a leader in the field of policing youth and has developed some remarkable innovations. In other departments we’ve trained, the arrest rates weren’t particularly high to begin with, but the relationship between police and youth had been authoritarian, rather than authoritative, and full of conflict that was unnecessary and harmful. We’ve also seen our assessments and trainings lead chiefs to reconsider and reorganize how they provide services and change how they use police in the schools.

Training Youth in Juvenile Justice Jeopardy

MM: In addition to your work training police, do you also work directly with youth?
LT: Yes, SFY’s second strategy is training youth. Youth have inaccurate conceptions of how police may and should act, and how the police and courts will treat them. Such misconceptions get youth in trouble. We use a game we call “Juvenile Justice Jeopardy” to teach youth strategies for interacting with police and avoiding ‘contempt of cop’ arrests. We don’t focus on rights because they’re too abstract for many kids. Instead, we focus more on scenarios and very concrete behaviors that are likely to get kids arrested and sent into a system that is just plain harmful in too many cases. Our goal is to make explicit for youth how to navigate these interactions. Jeopardy is a fun, interactive way of having a long conversation about what conduct can get you arrested, and how the juvenile justice system works, including its racial biases, and collateral consequences like getting a record that may cause your family to lose their housing.

MM: Do you see other benefits to the game?
LT: The game also gives adults a window into understanding how police are treating kids. Where we train police, we also play Jeopardy to make sure both sides of the relationship are better informed. One of our goals is to replicate the game nationally. Right now, we’re replicating the game in Los Angeles, and we are also training juvenile defenders. Funding permitting, we’re working on plans to replicate this work in New York City and Chicago next.

SFY Advocates for Raising Standards for Police

MM: Besides training police and youth, I understand SFY is involved in advocacy. Can you tell us more about that?
LT: That’s right. Our third strategy is advocacy. We are working with national police organizations to ensure the highest standards and to promote science-based approaches for treatment of youth and for dealing with DMC. We invoke these standards when we challenge certain police practices in court or elsewhere. We’re also developing a legislative strategy to promote training at the state level. Believe it or not, only Connecticut requires police be trained in juvenile development and juvenile law.

MM: That’s amazing, but good for Connecticut. What are you doing to encourage change in other locations?

“In my experience, when police see the approach actually makes their life easier, they are quite open to it.”

LT: We’ve had good success behind the scenes in Indiana where legislation was enacted in March creating a working group to develop training for police officers working with youth. Indiana also passed a law that requires data collection for police/youth arrests and interactions in schools. These statutes are the first in the nation. We’re trying to build momentum in this direction nationally.

Police Are Receptive to New Approaches

MM: Most people do not think police are open to change. What makes you think SFY can succeed?
LT: In my experience, when police see the approach actually makes their life easier, they are quite open to it. Most police do not like arresting kids. And most police chiefs invariably want...
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We are seeing more police in kids’ lives. There are now 17,000 police officers stationed in our nation’s public schools.

To do things better. They see the same endless cycles of violence we see and want to stop it. I find a lot of them open to new ideas. I also think that the issue is rising to a fevered pitch because attorneys calling me to say their 6 year old was shackled to a desk, or that 10 year old girls were maced for being disorderly when officers checked a noise complaint. And I’ll know we’ve succeeded when officers click on their tool belt; they will stop when they’re dealing with youth and say to themselves, “Ok, this is a kid, I’ve got to put my strategies for youth on” before wading into the fray.

MM: How is SFY funded?

LT: SFY is currently funded by fee for service trainings as well as with the support of individual donors and local foundations.

MM: It is good to know about your work, and it has lived up to its reputation. Thank you so very much.

For more information about Strategies for Youth, go to www.strategiesforyouth.org

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For example, a juvenile justice system must respect the principle of legality, which means that the system cannot impinge upon the life of children and adolescents by invoking a supposed need for protection or prevention of crime; instead, juvenile justice systems must be applied solely on the basis of pre-existing law in which a certain conduct has been classified as a criminal. Whenever possible, the information supplied by the States has been updated to December 2009 and, in some cases, to the date of approval of this report. Juvenile Justice Updates. advertisement. 2014 Legislative Conference Juvenile Justice and Delinquency Prevention Jessica Seitz Education Policy Analyst National PTA A. On the Hill b. In the Courts c. In the States 4. Q&A PTA & Juvenile Justice: History 1899: PTA convention delegates pass first juvenile justice-related This Juvenile Justice Handbook provides an overview of the modern juvenile justice system in Texas. It is intended for law enforcement, parents, educators and anyone seeking information about the juvenile court process and the youth who become involved in the system. Part I introduces the juvenile system, starting with the state and local agencies and officials who implement the law. Juvenile Justice Handbook. 1 Office of the Attorney General. for youth. A nationwide juvenile justice planning and advisory system spanning all states, territories, and the District of Columbia; Federal funding for delinquency prevention and improvements in state and local juvenile justice programs and practices; and. Given that there are hundreds of different juvenile justice systems throughout the U.S. states and territories, it is critical that juvenile justice have a dedicated focus and a within federal government. The American juvenile justice system is the primary system used to handle minors who are convicted of criminal offenses. The system is composed of a federal and many separate state, territorial, and local jurisdictions, with states and the federal government sharing sovereign police power under the common authority of the United States Constitution. The juvenile justice system intervenes in delinquent behavior through police, court, and correctional involvement, with the goal of rehabilitation. Youth
All the latest science news about juvenile justice from Phys.org. For Black girls in the juvenile justice system, attention from a caregiver might amount to too much of a bad thing, a recent study suggests. Social Sciences. Mar 04, 2021. 1. 3. American youth don't know much about the juvenile justice system. Young people in the U.S. who end up in the juvenile justice system often leave the system much worse than when they entered. Social Sciences. Nov 05, 2019. Juvenile Law Update. Presentation for juvenile justice vision 20/20. Tracey brame ayda rezaian-nojani wmu-cooley law school october 27, 2017. The Holy Grail of Recent Landmark Cases. The Evolving Face of Juvenile Justice: The Times They Are A-Changing. . . RUSS MARLAN, EXECUTIVE BUREAU ADMINISTRATOR, MICHIGAN DEPARTMENT OF CORRECTIONS: “There’s been an evolution in the criminal justice system. Source for information on Juvenile Justice: History and Philosophy: Encyclopedia of Crime and Justice dictionary. Views updated. Juvenile justice: history and philosophy. Ideological changes in the cultural conception of children and in strategies of social control during the nineteenth century led to the creation of the first juvenile court in Cook County, Illinois, in 1899. The American juvenile justice system is the primary system used to handle minors who are convicted of criminal offenses. The system is composed of a federal and many separate state, territorial, and local jurisdictions, with states and the federal government sharing sovereign police power under the common authority of the United States Constitution. The juvenile justice system intervenes in delinquent behavior through police, court, and correctional involvement, with the goal of rehabilitation. Youth Recent successful juvenile justice and juvenile detention reforms have resulted in better and more meaningful public policy on the use of custody facilities and have triggered significant reductions in juvenile detention and corrections populations. The number of residential facilities holding youth in custody within the juvenile justice system fell 42 percent nationwide between 2000 and 2016, according to newly released data from the Juvenile Residential Facility Census Databook.