

ADDRESSING THE INTERSECTIONS OF JUVENILE JUSTICE AND YOUTH HOMELESSNESS: PRINCIPLES FOR CHANGE

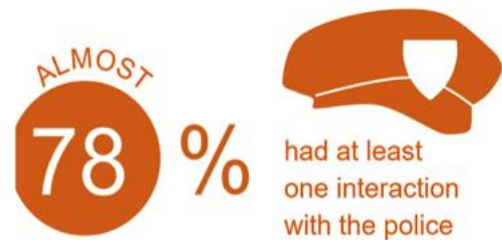
A BRIEF SUMMARY

AT THE INTERSECTIONS

Each year, more than 1 million young people will have some involvement with law enforcement or the justice system.ⁱ Nearly 400,000 youth, meanwhile, will be on their own and without a home for some period of time.ⁱⁱ Although more information is still needed about the overlap between these two populations, research shows that many of these are the same young people. According to interviews conducted with runaway and homeless youth in 11 U.S. cities, nearly 44% have stayed in a jail, prison, or juvenile detention center, and nearly 78% have had at least one interaction with law enforcement. Nearly 62% of the young people who were interviewed reported that they had been arrested at some point in their lives.ⁱⁱⁱ

In some cases this involvement with the justice system may be due to lack of shelter or other necessities. A young person, for example, may be arrested for truancy after missing school due to the lack of stable housing, or they may be arrested for theft when they take food - or money to buy food - due to hunger. Many state and municipal laws and ordinances, meanwhile, make it an offense simply to be in public spaces at certain times, despite the fact that youth experiencing homelessness may have no alternative.^{iv}

Youth who are homeless may come into contact with the justice system as a result of other “survival crimes,” as well. One common example is



trespassing to be in a safer or warmer place. Young people who are experiencing homelessness may also experience commercial sexual exploitation or labor trafficking, and enter the juvenile justice as a result.

EACH YEAR, OVER
1 MILLION
Youth will have some involvement with law enforcement or the justice system

 NEARLY
400,000
Youth will be on their own and homeless for some period of time

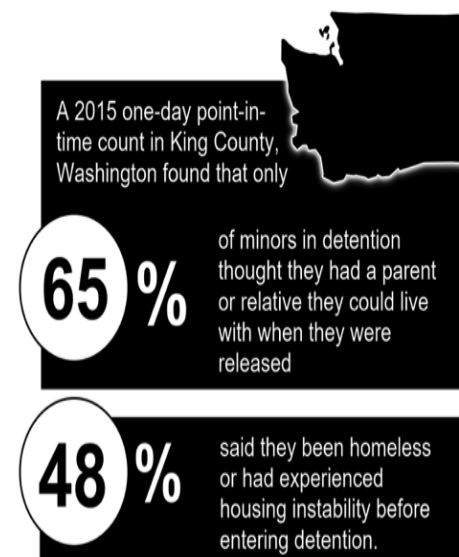
Young people may similarly become homeless as a result of experiences with the juvenile justice system. In some cases, youth may be arrested and later released from a juvenile detention facility or diversion program. At times, these young people may become homeless because families are unwilling to let them return due to family discord or because of restrictions imposed by landlords or public housing authorities.

Collaborating for Change

To address this issue, it is essential that all youth-serving professionals, including those in the justice system, schools, community-based agencies, and elsewhere, work together to implement meaningful change. This must begin with discovering what lies beneath the behavior or circumstances that brought a young person to the system's attention. Appropriate services and supports must then be provided to

address the identified needs and circumstances. This will require cross-systems collaboration that incorporates input from youth with relevant lived experience. Forming or participating in task forces or working groups that already exist on related issues is a good way to develop some of these cross-system relationships, and bring attention to common pathways between juvenile justice and homelessness.

The following "Principles for Change" are adapted from a larger publication from the Coalition for Juvenile Justice, National Network for Youth and the National League of Cities Institute for Youth, Education and Families. They are intended to help communities find ways to ensure that youth do not come into contact with the justice system because they are experiencing homelessness, and that likewise, they do not experience homelessness as a result of contact with the justice system. **For more details and resources on how to achieve these Principles, please see the full document at www.juvjustice.org/homelessness.**



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.

Communities should collaborate to ensure that youth are not criminalized because they sit or sleep in public places, or engage in other actions that are necessitated by their lack of safe and secure housing. Communities should work together to evaluate existing laws and repeal those that criminalize homelessness. Instead of arrest or referral to the court system, communities should work to provide young people with the services they need to address their underlying challenges.

Principle 2: Ensure that young people 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.

A young person should not be arrested or brought into the justice system solely to enable the provision of services to address their housing needs. Instead, young people should be diverted as early in the process as possible, preferably without any court booking required. Diversion should focus on addressing unmet needs and services should be determined in collaboration with the youth themselves.

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.

Transition planning is essential to ensure that a young person is able to receive the services they need while in the justice system and then reenter their community safely. Planning should begin as soon as possible and focus on ensuring that a young person both obtains appropriate services and has a safe, secure, and sustainable place to live. Stakeholders should consider not just where the youth will stay the night they leave a facility, but for the foreseeable future, and youth should have backup plans in case planned living situations fall through.

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

If a permanent placement option, such as a living arrangement with family or friends, is not identifiable, communities should ensure that there are alternative housing options available that are appropriate and accessible for youth. A young person should never have to remain in a detention placement because of a lack of housing options.

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.

Education, workforce development programs, and developmentally appropriate programs aimed at addressing past trauma are all essential to help address the needs of a young person who is experiencing homelessness. Communities should work to make these programs available, and to connect young people and their families with appropriate services.

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.

Communities should restrict or eliminate the use of criminal background checks as part of the screening process for housing, as this may result in the denial of housing for some youth and their families. Attorneys should also work with young people to ensure that records are sealed or expunged when possible so they are able to avoid collateral consequences such as denial of public or private housing by landlords.

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.

Collaborations with young people who are currently experiencing homelessness, and youth who have previously experienced homelessness are essential. These partnerships help ensure that programs are being crafted in ways that truly address young people's underlying needs. These partnerships should be meaningful, and could include youth panels or boards, peer-to-peer outreach, and employment - at all levels of an organization - of youth who have experienced homelessness.

Principle 8: Ensure efforts prioritize lesbian, gay, bisexual, transgender, queer or questioning (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 and/or involved with the juvenile justice system.

Youth of color and youth who are lesbian, gay, bisexual, transgender, queer, questioning, and/or gender non-conforming (LGBTQ/GNC) are at greater risk of involvement with the juvenile justice system and of homelessness. Because of this, special attention must be paid to addressing their needs and pathways into, and out of, the justice system and homelessness. Special attention should also be paid to the needs of other disproportionately represented populations, including recent immigrants, and youth with disabilities.

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

Young people who experience homelessness, and those who come into contact with the juvenile justice system, are disproportionately more likely to have experienced previous trauma. Service providers and other stakeholders should recognize that each individual is unique and that trauma may manifest itself in many different ways. Agencies should understand that young people who they work with may have survived abuse, human trafficking, and homelessness, but should steer clear of requiring any of these labels in order to access services, as young people may be hesitant to self identify due to stigma and a number of other factors.

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

In order to implement the policies and practices listed above, communities need information about a range of issues, including how homelessness should be defined and how many young people experience unaccompanied homelessness. Research should be funded and undertaken to address this, and other essential questions.

SUMMARY

By coming together across sectors, communities can address the intersections of juvenile justice and youth homelessness. These partnerships should focus on ensuring that young people and their families have access to safe, secure, and sustained housing, as well as services that help address their underlying needs. Educators, law enforcement, judiciary officers, policy makers, and most importantly youth with relevant lived experiences, all have an important stake in these efforts to.

ⁱ Based on 2014 figures, the most recent year with published data from the [Office of Juvenile Justice and Delinquency Prevention](#).

ⁱⁱ According to estimates from the [National Alliance to End Homelessness](#). This number is in addition to the children who experience homelessness [with their families](#).

ⁱⁱⁱ Administration on Children, Youth and Families, Family and Youth Services Bureau: Street Outreach Program Data Collection Project Final Report (April 2016).

^{iv} An important case currently pending in federal court challenges the constitutionality of these types of ordinances, at least when shelters are full.