The Criminalization of Childhood

Every year, thousands of youth are put on indefinite probation.

23,465 cases resulted in probation supervision in 2017

- Wardship probation
- Dismissed
- Informal probation
- Non-ward probation
- Diversion or Tran.
- DJJ
- Adult court

Over 40% of youth on probation have only misdemeanors. The majority of these youth are youth of color.

Youth on Misdemeanor Probation in 2017, by Race

- Hispanic (61.77%)
- Black (19.13%)
- White (15.39%)
- Other (2.35%)
- API (1.36%)

Probation rules are complex, and thousands of youth are locked up for rule violations.

23 Standard Probation Conditions at a 12th Grade Reading Level

8,111 juvenile hall bookings for Probation Violations in 2017

Violations of probation lead to more punishment, and youth leaving the system are often worse off than before.

1. Probation violation
2. Escalating punishments, removal from home, disconnection from family & community
3. Poor health & life outcomes

Trauma
Exploitation
Homelessness
Substance Use
School detachment
Adult jail/prison
RESTORING CHILDHOOD
A Movement-Based Legal Advocacy Campaign

The Young Women’s Freedom Center (YWFC) and the Youth Law Center (YLC) are collaborating on an advocacy campaign to restore childhood for system-impacted youth of color and low-income youth. As part of a broad vision for ending criminalization of women and girls, this campaign will utilize strategic legal advocacy designed to build the power of impacted communities and advance the movement for reform. It will be conducted in deep partnership with YWFC’s Sister Warriors Freedom Coalition, a membership-based coalition of formerly incarcerated and system-involved women and girls.

In countless ways, our society criminalizes childhood for poor youth and youth of color. Their lives are viewed through a criminal lens, such that the systemic response to developmentally normal behavior is arrest and court intervention. Youth are frequently placed on indefinite probation, turning subsequent teenage mistakes into a repeating cycle of probation violations and custody time.

Through our movement-based legal advocacy, we will seek to restore childhood. We will target county-level delinquency practices that fuel youth incarceration. Our advocacy will be connected to and coordinated with YWFC’s multi-pronged strategic plan to decriminalize and decarcerate young women, girls, and transgender and gender-nonconforming people, which includes the movement-building work of the Sister Warriors, place-based advocacy, a statewide policy agenda, and participatory research.

Our Goals:
- Protect the fundamental rights of youth in the delinquency system;
- Challenge the constant oversight of and interferences into the lives of low-income youth and youth of color;
- Demand investment in supports that are community-based and developmentally appropriate.

Our Strategy:
- County-based
  Our casework will focus on the county-level practices that trigger punitive and custodial responses to youth behavior. This local focus will not only allow us to litigate at the heart of the problem, but will also keep us deeply connected to the needs of the youth and families most directly impacted.
- Litigation-focused
  We will utilize affirmative civil litigation, including civil rights or class actions. We will also partner with defense attorneys to identify creative interventions within delinquency cases that could have a broad impact, including through writs of habeas corpus, writs of mandate, and fast-tracked appeals.
- Connected to and coordinated with the broader reform movement
  We will work closely with the Sister Warriors Freedom Coalition to develop joint strategies for reform. We will build collective leadership, and directly engage our partners in our legal work.
- Multidisciplinary and connecting the dots
  With an expansive view of the meaning of youth justice, we will bring unusual allies into our movement, helping to expand the universe of justice reformers and community advocates.

Our Impact:
Across the state, the Sister Warriors Freedom Coalition and other base-building organizations are building the momentum for juvenile justice reform. Our legal advocacy will provide a crucial weapon by holding the delinquency system accountable and helping to shift the balance of power. In unity with the Sister Warriors Freedom Coalition, we will work together towards a transformative vision of youth justice that is shaped by the young people and families most directly impacted.