

Children's Defense Fund

Children's Rights

<https://www.childrensdefense.org/policy/policy-priorities/youth-justice/>

Campaign and Advocacy

Too many children are being criminalized at increasingly younger ages and subjected to the juvenile justice system and/or the adult criminal justice system. This is particularly true for children who are poor; children of color; children with disabilities; children with mental health and substance abuse challenges; children facing neglect, abuse, and/or violence; children in foster care; and LGBTQ children. These children are disproportionately pushed out of schools and pulled into unjust systems through arrests and incarceration, which exacerbates harm and increases the risk of abuse. More than 530,000 children were arrested in the United States in 2019. While youth arrests and detentions have been declining overall, 43,580 children were held in residential placement on an average night in 2017 and extreme racial disparities have persisted.

All children deserve to grow up at home in safe, stable families, receive a quality education in safe, supportive schools, and participate in peaceful, thriving communities. Every child should be able to have a childhood that provides the time and space for learning, mistakes, and restorative correction by caring adults with knowledge of adolescent brain development and a child's capacity to change based on neuroscience. To the extent that children are deemed to have committed a punishable offense per the juvenile justice system or a crime per the adult criminal justice system, they are entitled to adequate legal representation and a response that is age-appropriate, developmentally-appropriate, culturally-responsive, gender-responsive, and trauma-informed in the least-restrictive, most-safe setting in order to facilitate rehabilitation, promote healing, ensure positive youth development, and reduce recidivism.

We work to reduce children's contact with the juvenile justice and criminal justice systems and to ensure more humane and rehabilitative prevention and treatment for all children who come in contact with these systems, especially children of color who historically have been over-criminalized and over-represented in school discipline, arrests, prosecutions, and detention. To stop the criminalization of children and ensure justice for all youth, we must:

We know school policing and harsh, exclusionary school discipline practices harm students, so we joined 90 civil rights and education organizations to call on Congress to advance critical legislation to provide safe, healthy, and inclusive school climates.

Youth are still growing and learning at such a young age. They should not be subjected to such a harsh punishment because that affects them long-term. Placing them in juvenile detention centers does more damage especially when these centers are not equipped to truly help them on their educational journey.

Continued reliance on institutional placements puts our nation's children, especially Black children, at risk of lasting harm to their health, development, and well-being. Congress must prioritize effective community-led, family-focused, youth-centered programs to ensure young people have the resources and supports they need to thrive within their families and communities.

A gift today helps children get the help they need

The Children's Defense Fund is a 501(c)(3) nonprofit organization. Our Federal Tax ID number is 52-0895622.

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Be a champion for every child. Sign up for updates about our work to fight for children and ways you can help.

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Fight for children, stay informed and know when to act.