

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/adolescent-behavior-is-not-a-crime>

Public Facing Advocacy Writing

The Juvenile Justice and Delinquency Prevention Act (JJDP) prohibits states that receive federal funds from placing status offenders youth who exhibit troubling, but non-criminal, behaviors such as chronic truancy, incorrigibility, or running away in locked juvenile detention or correctional facilities. A [report](#) released on September 8 by the National Coalition of Juvenile Justice (CJJ) draws attention to some of the challenges that jurisdictions face in complying with this prohibition.

The CJJ report shines a much-needed spotlight on an issue that receives far too little attention: how Congress can provide enhanced resources and assistance to states as they work to keep status offenders out of locked facilities.

While it is paramount that states follow JJDP's Deinstitutionalization of Status Offenders (DSO) mandate, it is even more critical that officials across the country reach beyond the fairly narrow confines of this requirement. Over the past seven years, Vera's Center on Youth Justice has been working with a number of jurisdictions in New York, [Louisiana](#), [Washington State](#), and [New Mexico](#) to not only ensure that troubled but non-delinquent youth are not incarcerated, but also that they never enter the juvenile court system to begin with. Two separate Vera reports [Making Court the Last Resort](#), and [Changing the Status Quo for Status Offenders](#) describe how youth and families in crisis require a faster response than courts can offer and the challenges juvenile justice systems face in providing the social services these youth and families need.

In recent years, following the lead of states such as Florida, counties across New York State have designed and implemented reforms that divert status offenders from court and, instead, offer them support, guidance, and preventive programs in their own communities. In doing so, the state witnessed a 41 percent decrease in court petitions for status offenders between 2004 and 2006, at least a 39 percent decrease in non-secure juvenile detention admissions, and a 28 percent decrease in out-of-home placements.

One of the best ways that the United States can begin to ensure that juvenile justice is fair, humane, and effective is to stop responding to adolescent behavior as if it were a criminal offense and to begin viewing status offenders for who they are: children who committed no crime but who need a helping hand in getting back on track.

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