

The Legal Intelligencer

Commentary

Juvenile Justice Advocates Demand Care, Not Control

As our country continues to reckon with its deep and omnipresent legacy of racism and White Supremacy, and Pennsylvania's specific and tragic legacy of judicial and institutional abuse within the juvenile justice system, the call to reform a juvenile justice system that has perpetrated countless abuses on Black and Brown children is louder than ever.

By Joanna Visser Adjoian and Lauren Fine | February 19, 2021 at 11:21 AM



Lauren Fine and Joanna Visser Adjoian, co-founders and co-directors of the Youth Sentencing & Reentry Project (YSRP)

“The story of youth incarceration in Pennsylvania is one of ineffective spending, racial discrimination, and unchecked abuse; of children being locked in adult jails; of life-altering trauma.” So starts the powerful [list of demands](#) developed by the Care, Not Control Coalition in response to Pennsylvania’s [Juvenile Justice Task Force](#). As our country continues to reckon with its deep and omnipresent legacy of racism and White Supremacy, and Pennsylvania’s specific and tragic legacy of [judicial](#) and [institutional](#) abuse within the juvenile justice system, the call to reform a juvenile justice system that has perpetrated countless abuses on Black and Brown children is louder than ever.

The bipartisan [task force](#) includes representatives from Pennsylvania’s executive, agency, judicial and legislative offices, and is staffed by the Pew Charitable Trusts and Crime and Justice Institute; it seeks to “assess how the state handles juvenile justice, and to develop a [report detailing what should be done to strengthen the system](#).” The task force was established in December 2019 with the intended goal of issuing recommendations by Nov. 30, 2020, but adjusted plans and timetables in response to the COVID-19 pandemic. The task force has since held a series of virtual hearings and meetings and now plans to release its recommendations by late March 2021. These recommendations likely will guide statutory, budgetary and administrative actions in Pennsylvania’s juvenile justice system for the foreseeable future.

The task force was created in the wake of the most recent public reporting on Pennsylvania’s sordid history of abuse and neglect in its juvenile justice system, including tragic and disturbing accounts of horrific abuse at [Glen Mills](#), [Deveraux](#) and [Wordsworth](#), the latter of which led to a child being killed at the hands of staff entrusted with his care. The revelations of additional abuse have continued even as the task force meets, with additional and sustained sexual abuse—and its cover-up—at [Deveraux](#) reported in January. In light of these tragedies that are perpetuated in all of our names and paid for by taxpayer funds, we are grateful that the task force was created to examine and address some of the systemic failures and policies that allowed them to transpire.

We also are proud to be a part of a direct and youth-centered campaign that reimagines a justice system in Pennsylvania that centers care, not control. A campaign that has informed the task force, and that provides system-involved young people with opportunities, rather than condemning them to unsafe and ineffective institutions and practices. Comprised of advocates from local, state and national organizations, including The Village of Arts and Humanities,

Juvenile Law Center, Youth Art & Self-empowerment Project (YASP), and the organization we co-founded, the Youth Sentencing & Reentry Project (YSRP), the [Care, Not Control](#) Coalition envisions a future where children are not put in cages.

Relying on data and research, and most importantly the voices of directly impacted young people and their families, Care, Not Control boldly demands that decision-makers on the task force: end youth incarceration in Pennsylvania; apply reinvestment strategies to redirect funding to community-based institutions; bolster restorative practices and expand alternatives to incarceration; end the practice of prosecuting children in the adult criminal justice system; significantly improve conditions for youth who are held in carceral settings; transform probation and eliminate fines and fees; provide holistic reentry supports to young people coming home; and respond to the COVID-19 pandemic with the urgency it requires by releasing youth in light of the heightened dangerousness of COVID-19 in institutional settings. You can read the full set of demands at carenotcontrol.com. More than 600 people have already signaled their support for the coalition's demands by [signing the online petition](#) that also has been promoted by national advocacy engine Color of Change.

Care, Not Control also specifically demands that Pennsylvania “come into compliance with the Juvenile Justice & Delinquency Prevention Act (JJDP) and the Prison Rape Elimination Act (PREA) by prohibiting the detention of children under 18 in adult jails or prisons for any reason.” In 2021, in the midst of a deadly pandemic, our commonwealth has the obligation to heed this call by immediately removing youth from adult jails and prisons and allowing them to either await trial at home in the community, or in facilities designed to house youth. Each of the Care, Not Control demands are urgent. Lives are on the line, and those lives are disproportionately Black and Brown.

Task force members can look to other jurisdictions that have implemented many of the Care, Not Control demands successfully. For example, “The Youth Reinvestment Grant Program was established in California’s 2018 Budget Act (Senate Bill 840, Chapter 29, Statutes of 2018) and awards grants to local jurisdictions for implementing evidence-based, trauma-informed, culturally relevant, and developmentally appropriate diversion programs in underserved communities with high rates of youth arrests and high rates of racial/ethnic disproportionality within those youth arrests.” Los Angeles County instituted an initiative to reduce dramatically or eliminate the number of youth incarcerated, and instead will rely on community-based services. Los Angeles too, along with Alameda, Contra Costa and Santa Clara counties [stopped](#)

[charging fees associated with juvenile court](#), “due to concerns about fairness, legality and costs,” joining San Francisco, which never charged them. National advocacy group [Youth First provides information on California](#) and other models across the country, emphasizing the importance of youth leadership and restorative justice.

For too long, Pennsylvania has represented the worst of juvenile justice—drawing national notoriety from the Luzerne County [Kids for Cash](#) scandal, to the aforementioned crises at institutional placements. The Pennsylvania Juvenile Justice Task Force provides the commonwealth with an opportunity to finally do what is right: Enact practices and policies that are already commonplace in other jurisdictions, reverse course on decades of malfeasance and neglect in the system, and actually listen to and incorporate the wisdom of youth leaders with lived experience in these systems into their recommendations. Guided by Care, Not Control, the task force has an opportunity to chart a course towards a more hopeful future for Pennsylvania’s children.

Lauren Fine and **Joanna Visser Adjoian** *are the co-founders and co-directors of the Youth Sentencing & Reentry Project (YSRP). YSRP uses direct service and policy advocacy to keep children out of adult jails and prisons, and to bring home people who were sentenced as children to life in prison without the possibility of parole.*