



Criminal Legal System Policy Priority Brief

Juvenile Justice

What is Juvenile Justice Reform?

Juvenile Justice Reform is an effort to transform the juvenile criminal system to reduce reliance on incarceration, address social determinants, and promote positive youth development. This reform typically focuses on rehabilitation, education, and prevention rather than punishment, with the goal of redirecting youth away from further criminal activity and toward productive, law-abiding lives.

Juvenile Justice Reform in the U.S. and the South

The United States has made progress in the treatment of youth offenders as juvenile incarceration rates declined by 77% between 2000 and 2020. Even though the South is more punitive than other regions, their incarceration of juveniles is on par with or below other regions in the country. However, African Americans are much more likely than white youth to be held in juvenile facilities. In 2019, the white placement rate in juvenile facilities was 72 per 100,000 youth under age 18. By comparison, Black youth were 4.4 times as likely to be incarcerated (315 per 100,000).

How Juvenile Justice Reform Can Advance Equity in the South

Juvenile Justice reforms have the potential to advance equity in the South by reducing the incarceration disparity between Black and white youth. By implementing reforms, southern states could reduce the arrest of Black children, reduce recidivism and help promote healthy communities. As reported by The Sentencing Project, there is significant research that finds that disparities at arrest and court intake are driven “at least partly by biased decision-making that treats white youth more favorably than comparable peers who are Black, Latinx, or Tribal”. These disparities also cross gender lines with other research suggesting that Black girls are

also more likely to be criminalized and subjected to criminal and juvenile legal involvement at higher rates than their non-Black counterparts.

By implementing programs that prioritize rehabilitation over punishment and including community-based intervention, mentorship programs, and restorative justice practices in reform efforts, there is a greater chance of keeping juveniles out of determination facilities and engaged in activities that develop them into productive and contributing members of society. Designing these programs to meet the specific needs and circumstances of minority and low-income communities can help to remove the systemic barriers facing these communities and break the cycle of poverty and crime that disproportionately affect these groups.

Additionally, juvenile justice reform must focus on eliminating inherently discriminatory practices within the juvenile justice system and the criminal legal system at large. This includes training for law enforcement officers and judicial officials to help them identify and counteract implicit biases, ensuring equitable access to quality legal representation, and implementing standardized, transparent criteria for decision-making at all stages of the juvenile justice process.

Legislative Efforts Related to Juvenile Justice

1. **Alabama:** Senate Bill 235 was enacted this year, amending current law to make it illegal to knowingly disclose, use, or permit the use of the criminal records of juveniles.
2. **Florida:** House Bill 417 would have required school districts to provide certain students in the Juvenile Justice Program with at least one annual opportunity to take the high school equivalency exam free of charge. Unfortunately, the bill was not enacted into law during the 2024 legislative session.
3. **Georgia:** House Bill 873 creates juvenile treatment court divisions to provide an alternative to the traditional judicial system for the handling of juvenile criminal cases in child in need of services cases. The goal of these juvenile treatment court divisions, according to the bill, is to reduce the likelihood of family disruption, reduce the use of detention facilities, reduce recidivism, and increase the likelihood of successful rehabilitation through early, continuous, and intense judicially supervised treatment.
4. **Louisiana:** Despite other challenging reforms that stand to regress the progress of the criminal legal system in Louisiana, House Bill 578 was enacted to establish the Back on Track Youth Pilot Program, designed to provide occupational or vocational training, life skills, healthy choices, and literacy instruction to justice-involved youth, prioritizing youth from low-income families.