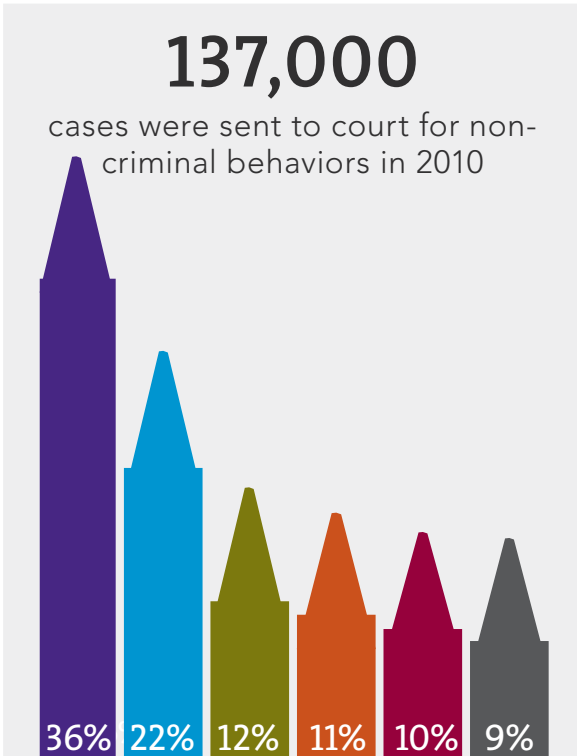


# KEEPING KIDS OUT OF COURT

## rethinking our response to **status offenses**

Juvenile Justice Factsheet 1



Status offenses are behaviors that are problematic but non-criminal in nature—such as running away from home, skipping school, or violating curfew—which are prohibited under the law only because of an individual’s status as a minor. Thousands of kids are still funneled into the court system every year on status offense charges, an approach that is expensive and ineffective in addressing the underlying causes of these behaviors. At a time when public officials are looking to make the most of scarce resources, comprehensive status offense reform promises to reduce costs while simultaneously enhancing prevention and diversion services and improving outcomes for youth, families, and communities.

■ Truancy      ■ Liquor Law Violations      ■ Ungovernability  
■ Running Away      ■ Curfew Violations      ■ Other

## the problem

Although the number of status offense cases referred to court has declined in recent years, still too many kids end up in detention or long-term residential facilities. The experience of states and localities nationwide demonstrates that court involvement for such cases is inappropriate for the following reasons:

**>Courts cannot address the underlying causes of problematic behaviors.** Courts may feel stymied by the limited options at their disposal in status offense cases, where any number of issues—from peer pressure to problems at home—could be driving a young person’s behavior.

**>Courts cannot provide immediate intervention.** Youth who commit status offenses often have time-sensitive needs and a delay of even a few days may cause minor crises to escalate.

**>Incarcerating these youth can exacerbate the problem.** Sending these youth to facilities where they come in contact with others who have committed more serious offenses can negatively affect their own outlook and behavior.

**>Court-based responses are much more expensive than community-based approaches that produce better outcomes for kids and their families.** Using courts to handle status offenses may overburden existing dockets and result in longer case-processing times.

# community-based responses work

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More states and localities are developing and implementing community-based strategies to safely and cost-effectively support young people who commit status offenses. Below are some examples of states that are investing in this approach.

**Florida:** Legislation in the 1980s led to the creation of a statewide network of service providers that families and youth can access for help, without court involvement. The well-established example of Florida demonstrates that:

**>Effective service provision keeps kids out of courts and jails.** In 2011-2012, for instance, 91 percent of the 14,847 youth served were crime-free six months after services.

**>Court alternatives can save money.** A 2011 cost effective evaluation found that Florida saved approximately \$160 million in juvenile justice supervision costs as a result of the early interventions provided by local service providers.

**Calcasieu Parish, Louisiana:** Since launching a Multi-Agency Resource Center in 2011, only 1 percent of all status offense cases now get referred to court, and **the delay between seeking help and receiving help has dropped from 50 days or more to roughly two hours.**

**New York State:** Local efforts by New York counties to contract with community-based nonprofit organizations for immediate crisis intervention have led to legislative reforms encouraging court diversion statewide. **Between 2003 and 2012, the number of status offense cases that went to court across the state dropped by 70 percent.**

## opportunities to promote reform

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While these local and state efforts provide a starting point, the following recommendations could propel the widespread adoption of promising practices, programs, and policies aimed at rethinking the approach to status offenses:

**>Examine the Valid Court Order (VCO) exception.** In 1980, the federal Juvenile Justice and Delinquency Prevention Act was amended to include the VCO exception, which enables judges to detain young people who violate a direct order from court related to status offenses, such as “stop running away” or “attend school regularly.” This exception has led to the incarceration of thousands of youth every year who could be better served in the community.

**>Promote research on status offenses.** Research is especially needed to better understand juvenile court practices and decision-making around status offense cases, how specific groups (e.g., youth of color and girls) interact with status offense systems, and the efficacy of different intervention programs.

**>Support technical assistance initiatives to help jurisdictions rethink their current systems.** While many jurisdictions want to keep kids out of court for status offenses, knowing how to make this a reality can be difficult in practice. Providing technical assistance can ensure that states and localities develop systems that work with their specific strengths and needs.

### FOR MORE INFORMATION

For more information and resources on this issue, visit Vera’s Status Offense Reform Center online at [www.statusoffensereform.org](http://www.statusoffensereform.org). Follow us on Twitter @SOreformcenter.

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