



**REMARKS OF ROBERT L. LISTENBEE  
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AT THE  
“IMPACT OF VIOLENCE SECTION OF LITIGATION ANNUAL  
CONFERENCE AMERICAN BAR ASSOCIATION” EVENT  
CHICAGO, IL  
APRIL 26, 2013  
*REMARKS AS PREPARED FOR DELIVERY***

Hello everyone. I’m Bob Listenbee, Administrator of the Office of Juvenile Justice and Delinquency Prevention.

Thank you for the kind introduction Lourdes.

I am especially pleased to speak briefly this morning on my work on the Attorney General’s National Task Force on Children Exposed to Violence.

I also want to talk about how the courts, prosecutors, and lawyers can become involved in addressing children’s exposure to violence and youth who have been traumatized by violence.

Attorney General Holder has long understood that a child’s exposure to violence often sends devastating ripples throughout that child’s life that can leave lifelong emotional and psychological scars and can threaten the social fabric of our communities and nation.

The Attorney General has unified all of the Department of Justice’s component offices and programs under one initiative—Defending Childhood—to address children’s exposure to violence in this country.

Through Defending Childhood, the Department is raising public awareness about the issue and supporting practitioners, researchers, and policymakers as they seek solutions to address it.

Defending Childhood is changing our national conversation on violence and our perceptions about just how violence endangers the lives and futures of our children.

Increasingly, we are coming to understand that children who are victims often later go on to victimize others.

Research has shown that in many cases kids who are victims or witnesses to violence are at greater risk of becoming offenders later in their lives.

Repeatedly during my tenure on the Attorney General's National Task Force on Children Exposed to Violence, I heard testimony from experts and victims that bear witness to this reality.

Kids who are exposed to violence, abuse, and neglect begin as victims.

The sad truth is that these same kids often go on to victimize others later in life.

As often happens, these kids become involved in the justice system.

A child's exposure to violence often leads to:

- distrust
- hypervigilance
- impulsive behavior
- isolation
- addiction
- lack of empathy or concern for others
- and self-protective aggression.

When young people experience prolonged or repeated violence, their bodies and brains adapt by becoming focused on survival.

The more research has taught us, the more it has opened our eyes to what we must do to address these issues.

While children's exposure to violence is first and foremost a child protection issue, it also impacts OJJDP's other mandate—to address issues related to kids who involved in the justice system.

Increasingly, studies show that youth who run afoul of the law and begin their journey through the juvenile or criminal justice systems often are traumatized themselves, the victims of tragic loss of a loved one or victims of violence and violent crime.

OJJDP is co-sponsoring a study, the Northwestern Juvenile Project of juvenile detainees in the Chicago metropolitan area, and the findings underscore this point.\

Northwestern Juvenile Project researchers found that:

- 93 percent of participants had been exposed to one or more traumas.
- 11 percent of the sample met diagnostic criteria for posttraumatic stress disorder (PTSD) in the past year.
- More than half of the study participants with PTSD reported witnessing violence as the precipitating trauma.

By the time many of these children come into contact with the juvenile justice system, they have almost always been exposed to traumatic violence over a course of many years.

The goal of the juvenile justice system is rehabilitation:

- to make communities and victims whole.
- to rehabilitate young offenders as we hold them accountable for their offending behavior.
- and to help children develop skills to grow into productive and successful adults.

To fulfill this promise, we must rethink the way the juvenile justice system treats, assesses, and evaluates the children entrusted to its care.

Specifically, I want to talk about 3 adjustments that we can make in our handling of juvenile offenders that can help them leave the system in better emotional and mental health than when they entered it.

We must emphasize the importance of trauma-informed screening, assessment, and treatment.

All children who enter the juvenile justice system should be screened for exposure to violence.

The initial screening should take place upon first contact with the system and should include youth who meet the criteria for diversion from the system.

Where feasible, stakeholders should develop trauma-informed care and treatment for children diverted to prevention, mental health, or dependency programs.

System-involved kids who have been exposed to violence can thoroughly describe their exposure when they are screened with brief, carefully developed, and behaviorally specific questionnaires.

All we have to do is ask the right questions.

Many youth in the juvenile justice are not maliciously aggressive but in fact are reacting defensively because of their exposure to violence.

It is important that we provide them with the appropriate treatment, services, or interventions to help them deal with their fear and hopelessness.

Provide more services for girls in the justice system.

Girls make up the fastest growing population in the juvenile justice system.

As a group, they are disproportionately 'high need' and 'low risk,' meaning that they face numerous challenges and need services, but for the most part, they do not pose a significant threat to the public.

Many girls have been exposed to violence, including sexual and physical abuse and neglect, before they even enter the system.

At present, the juvenile justice system is ill-equipped to help girls in its care. Girls have unique needs from those of boys. For instance, 20 percent of girls in custody have or are expecting children. In their adolescence, girls are more likely than boys to attempt suicide and to self-mutilate.

Most youth in the juvenile justice system are detained for nonviolent and status offenses. This is particularly true of girls, who are slightly more likely than boys to enter the system for minor offenses.

It's critical that everyone be aware that community-based options should be available.

Most youth, and most girls in particular, do not pose a significant public safety risk and would be far better served in nonresidential treatment facilities close to their own homes.

It is important that we develop alternatives to detention for girls, such as group homes, education programs, and career-prep programs.

The key elements to trauma-informed, gender-responsive juvenile justice programs exist in every community.

Programs that are good for girls, especially those recovering from exposure to violence, weave together family, community, and systems of care.

Lawyers, judges, prosecutors, probation officers, detention centers, and placement programs must receive training on children exposed to violence.

Rethinking how we approach young people in the justice system requires participation from everyone in the system.

We all must understand the data about children's exposure to violence that is available in the ACE (Adverse Childhood Experiences) and NatSCEV (National Survey of Children's Exposure to Violence) studies and the latest research about what works for kids.

People outside the system must accept that children in the justice system are not “bad kids” but, instead, are traumatized survivors who have made bad decisions but can still turn things around if they have help.

The problem is not just confined to boys of color in urban communities.

It affects youth of varying racial and ethnic backgrounds in rural, suburban, and tribal communities and girls and LGBTQ (lesbian-gay-bisexual-transgender-questioning) youth.

It is particularly important that lawyers receive regular, ongoing training.

Fortunately, the juvenile justice system has undergone tremendous change in recent years. Cross-systems collaboration, evidence-based practices, and “programs that work” have moved the system toward better outcomes for children and their communities.

It is critical that we incorporate what is known about children who have been exposed to violence into every facet of the system—both juvenile and adult—and trauma-informed care into decision-making responses for children throughout the system.

In recent landmark decisions, the Supreme Court eliminated the death penalty and an automatic life sentence without parole for juveniles.

This has created a pathway for children who are found guilty of homicide or other very serious violent offenses to be thoroughly assessed to determine the causes of their violent conduct.

Many of the children who have been convicted as adults have experienced tremendous damage from violence that, in the past, would have gone unaddressed once they were incarcerated.

Providing opportunities for assessment and trauma-informed care in both the juvenile and adult justice systems will:

- help to repair the damage done by exposure to violence.
- improve the safety of everyone within the system.percent

- and increase the safety of communities to which incarcerated and detained children are released.

A trauma-informed approach to juvenile justice does not require wholesale abandonment of existing programs. Instead, it can be used to make many existing programs more effective and cost-efficient.

By assessing the needs of youth in the system, including needs reflecting their exposure to violence, and matching services directly to those needs, the system can help children recover from the effects of trauma and become whole. Thank you.